



United States  
of America

# Congressional Record

PROCEEDINGS AND DEBATES OF THE 116<sup>th</sup> CONGRESS, FIRST SESSION

Vol. 165

WASHINGTON, TUESDAY, JULY 23, 2019

No. 124

## Senate

The Senate met at 10 a.m. and was called to order by the President pro tempore (Mr. GRASSLEY).

### PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Lord of the harvest, we continue to seek You, for we desire to please You. You, O God, are our light and salvation, so we refuse to be afraid. As our lawmakers seek to walk with integrity, provide them with a harvest of truth, justice, and righteousness. May they cultivate such ethical consistency that their words will be undergirded by right actions.

Lord, keep them aware of Your continued presence as they find in You fullness of joy. Show them the path to life, as You guide them to Your desired destination.

We pray in Your merciful Name. Amen.

### PLEDGE OF ALLEGIANCE

The President pro tempore led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

The PRESIDING OFFICER (Mrs. HYDE-SMITH). The Senator from Iowa.

Mr. GRASSLEY. Madam President, I ask to speak as in morning business for 1 minute.

The PRESIDING OFFICER. Without objection, it is so ordered.

### NOMINATION OF MARK T. ESPER

Mr. GRASSLEY. Madam President, the United States of America has the mightiest military in the world to protect our freedoms and to guarantee peace around the world. That is why it is so important to keep check on the Pentagon's financial ledgers. Tax-

payers expect their money to be spent wisely, and it is our job in Congress to make sure that money is spent wisely.

I am glad Secretary Esper has said he will work with whistleblowers to stop wasteful spending and to prevent more spare parts rip-offs. These are things that have been of interest to me over the last several decades with the defense budget. I met with Secretary Esper, and I believe he has his heart in the right place to help us accomplish these goals.

He has also indicated he will prioritize getting a clean audit of our military services and an opinion that can be certified because the 2010 law that all the audits ought to be certified was not met by 2017, and they are still not done. How can you follow the money if it can't be audited?

Our men and women in uniform deserve no less than to make sure every dollar in the Defense Department is spent wisely.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. MCCONNELL. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

### RECOGNITION OF THE MAJORITY LEADER

The PRESIDENT pro tempore. The majority leader is recognized.

### BUDGET AGREEMENT

Mr. MCCONNELL. Madam President, yesterday the administration informed congressional leaders that Secretary Mnuchin, White House Chief of Staff Mulvaney, and Acting OMB Director Vought reached a deal with Speaker PELOSI to prevent a government-fund-

ing crisis and deliver on President Trump's top priorities.

The agreement secures the most important priority of the Republican conference. In fact, in my view, it is the most important obligation of the entire Congress; that is, securing the resources we need to provide for the common defense. This deal does it.

Over the past 2½ years, Republicans in Congress have worked with the President to stop and reverse the decline in the strength and readiness of our Armed Forces. After years of insufficient funding that hurt readiness and tied commanders' hands, Congress and President Trump have secured badly needed funding increases to rebuild and modernize the U.S. military.

There is still more work ahead. The progress we have made remains tenuous. America's adversaries are not taking their foot off the gas anytime soon, so we can't either. We have to keep up the momentum. This agreement provides the stability of funding our military deserves and requires. Thanks to tough negotiating by the Trump administration, this deal delivers for the security of our Nation. It delivers for our men and women in uniform. It protects the progress of the last 2 years and provides the fuel for further progress. That is the bottom line.

The nature of divided government means this certainly isn't the agreement Republicans would have written all by ourselves; for example, I will never understand why our Democratic colleagues treat funding the U.S. Armed Forces like a Republican priority that somehow needs to be matched up with additional spending that Democrats like in order to make it palatable for them. It seems to me every one of us, both sides, should jump at the chance to fund defense adequately.

Alas, that is not a mystery that is going to be solved for me in the immediate future. The fact is, the Federal

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



Printed on recycled paper.

S4983

Government is coming up with urgent deadlines with respect to the debt limit and beginning the appropriations process.

The full faith and credit of the United States cannot be in question. The last thing Americans need is for Washington to throw a big wrench in this red-hot economy that is creating historic levels of job opportunities and growing their take-home pay, and so faced with our Democratic colleagues' reluctance, the Trump administration took the high road. They did what needed to be done for our Armed Forces and veterans and negotiated a successful deal. In fact, compared to current law, the administration has secured a larger increase for defense spending than for nondefense. Let me say that again: a larger increase for defense than for nondefense compared to current law.

What is more, the administration successfully kept leftwing poison pills and policy riders far away from this agreement. We know some of the far left have been hankering to claw back the Hyde amendment protections or cut away at reprogramming authorities and flexibility that Presidents rightly possess. I applaud the fact that no leftwing riders like that were allowed into the deal.

This is the deal that was necessary to continue rebuilding our national defense after years of neglect, and it is the deal that was possible in divided government. I am proud to join President Trump in support of it, and I will be proud to support it when the Senate votes on the agreement before we adjourn at the end of this month.

#### NOMINATION OF MARK T. ESPER

Mr. MCCONNELL. Madam President, in the meantime, this body has other significant business to complete for the American people. Most immediately, in just a few hours, we will be confirming a new Secretary of Defense. The vote to advance Dr. Mark Esper's nomination yesterday afternoon came in at 85 to 6. That is precisely the kind of overwhelming bipartisan vote that is called for in this circumstance.

The nominee is beyond qualified. His record of public service is beyond impressive. His commitment to serving our servicemembers is beyond obvious. The need for a Senate-confirmed Secretary of Defense is beyond urgent. I urge every one of my colleagues to vote to confirm our next Secretary of Defense later today.

#### 9/11 VICTIM COMPENSATION FUND

Mr. MCCONNELL. Madam President, that isn't the only important task we will tackle on a bipartisan basis today. In just a few hours, the Senate will attend to an important subject we have never failed to address; that is, the September 11th Victim Compensation Fund.

I know my colleagues don't need any extended lecture from me about the

solemn commitments this program represents: commitments to the firefighters, police officers, and all the first responders who rushed selflessly toward the World Trade Center just moments after the attacks began, to the first responders and workers who reported for duty days or even weeks later, putting their health at serious risk to help others, commitments to those who responded to the Pentagon and in Shanksville, PA, as well, and in the cases where injury or illness has already claimed the lives of those heroes, commitments to the surviving families.

Congress can never repay these men, women, and families for their sacrifices, but we can do a small part to make our heroes whole. That is why the Senate has never failed to attend to the fund before. We are not about to do so now.

I had the honor of meeting with a group of first responders and advocates several weeks back. They gave me the badge of Luis Alvarez, a New York Police Department bomb squad detective who was terminally ill and has since tragically passed away.

It was my honor to receive it. It was my honor to reiterate that the Senate's ironclad commitment to getting this done was never in doubt. I told the first responders I wanted the Senate to address this prior to the August recess, and today we will do so. It will be my honor later today to vote for the funding and ensure this fund is secure. I urge my colleagues to do the same.

#### HONG KONG

Mr. MCCONNELL. Madam President, on one final matter, in recent weeks, I have spoken about our Nation's renewed competition with other great powers, like Russia and China. Despite decades of efforts to welcome these nations into a peaceful, prosperous, and fair international system, we are constantly reminded that these nations have their own design on the future. In their visions, foundational principles of sovereignty, freedom, human rights, and a rules-based international order tend to take a backseat to power politics and the pursuit of hegemony.

The Chinese Communist Party, for example, is working to extend its control and influence everywhere from Taiwan to Cambodia, to Laos, to Burma, to Hong Kong, as we have seen recently. The tools and tactics may differ but the goal is the same: Beijing wants to bend its neighbors to its will.

Earlier this month, after historic protests, Hong Kong's Government hit pause on legislation that would have further eroded its autonomy and invited more meddling from the mainland, but victory for freedom and autonomy is not yet assured. The bill in question has been suspended, but it hasn't been totally withdrawn.

Hong Kong's people, emboldened by this rare victory over Beijing's creeping influence, have continued to exer-

cise their freedom of assembly to reclaim the rights, privileges, and autonomy slowly sliced away in recent years by the PRC.

Protests continue and with them countervailing pressures from authorities beholden to Beijing. Increasingly brutal police tactics and pro-mainland vigilantes are drawing blood in an effort to intimidate Hongkongers back into submission.

Hong Kong's autonomous governance, political freedoms, and stable rule of law has been a crucial precondition of its tremendous growth and prosperity. U.S. firms have invested tens of billions in Hong Kong's economy because they trust the autonomous region's political climate, independent judicial system, and degree of independence from Beijing.

By contrast, international firms are currently pulling back from China due to concerns about corruption, autocracy, intellectual property rights violations, and state-sponsored corporate espionage.

At a time when China faces slowing growth, Beijing should seek to emulate Hong Kong, not engulf Hong Kong and remake it in the image of the Chinese Communist Party.

The PRC has long been working hard under the surface to increase its influence and power. In Hong Kong, like in so many other areas, China has used this approach that experts have called "hide and bide"—hiding their intentions and biding their time, slowly slicing away resistance, building leverage, and encroaching, one step at a time.

In the case of Hong Kong, Beijing and its agents have overreached, but they are recalculating—postponing action on this legislation while biding time to resume the encroachment.

This is not just a matter of the people of Hong Kong. The PRC's treatment of Hong Kong—just like its treatment of the Uighurs or Tibetans that Beijing claims as citizens—is an indicator of how Chinese rulers will behave abroad. All nations who trade with the PRC should be watching the drama unfolding on the streets of Hong Kong.

The world is watching and wondering: If a government cannot respect the basic rights of people it claims as its own citizens, why on Earth would it be trusted to respect the rights and interests of its neighbors, its trading partners, or the companies that invest in its economy?

As we all know, the people of Hong Kong have been carrying the banner for decades. I am proud to say that here in the United States, we have been marching alongside them the entire way. Back in 1992, I was proud to author the U.S.-Hong Kong Policy Act and helped codify America's stance on the special status of Hong Kong.

So on the 70th anniversary of the PRC and the 30th anniversary of the Tiananmen Square massacre, I am grateful the administration and Congress, on a bipartisan basis, are reexamining America's relationship with

the PRC. I am grateful for the bipartisan work my colleagues have done on this important issue, and I am confident Congress will continue to hold hearings and stay vigilant on the subject of autonomy and democracy in Hong Kong, as well as China's overall strategy and its implications for the United States, our allies, and the entire world.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. SCHUMER. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The Democratic leader is recognized.

#### BORDER SECURITY

Mr. SCHUMER. Madam President, last Friday, I went with a group of Senate Democrats to visit several detention centers at our southern border, including the Border Patrol facility in McAllen and processing centers at Donna and Ursula, TX. The searing accounts about the conditions endured by the migrant families are true. We saw overcrowding. We heard migrants tell us they are unable to brush their teeth, shower, call their families, or access feminine hygiene products. We saw children in soiled clothing, caged and expressionless. It is heartbreaking—the thousand-smile stares on the faces of toddlers where smiles and laughter should have been. It breaks your heart and makes your blood boil all at once.

But we saw something else. I am always looking for the positive. We saw a much better model employed by a non-profit Catholic Charities center, run by Sister Norma Pimentel. There, families had access to medicine, food, and showers as their asylum cases were being processed in an orderly fashion. These people were being treated humanely, and they were following the law.

Sister Norma told us that the government could replicate this model. She explained that if ICE reinstated the Family Case Management Program, we could see as high as 99-percent compliance with immigration court orders without the need for expanded detention and overcrowding. What a difference that could make.

Sister Norma showed us that we can treat these migrants with respect and decency without sacrificing border security or law and order. The two are not mutually exclusive. That is such an important point. You can have both humane treatment and rule of law. Anyone who says that we must choose between treating these people humanely and enforcing our laws is offering a false choice. We can do both, and

we can follow the model of Catholic Charities all along the border.

That is why Democrats have been pushing to restart and infuse more dollars into alternatives to detention despite Republican objections. The Family Case Management Program, coupled with a Democratic bill to address the treatment of children—a bill that Senators MERKLEY, FEINSTEIN, DURBIN, and I have sponsored, as well as many others—over 30 other Democrats, I believe—would both improve the conditions at the detention centers and ensure that families comply with our immigration laws.

I would say one more thing about these kids and the parents. They are not criminals. I asked Mark Morgan, who is certainly known as a hard-liner on immigration: What percentage of these kids and parents are criminals? It is a very small percentage. At one point, it was said that 96 percent—and at another point 98 percent—are not criminals. They are the same people our grandparents or our great-grandparents or our great-great-grandparents were, who sought safety and a decent life in America. Their children and their grandchildren—on my father's side I am one of the grandchildren, and on my mother's side I am one of the great-great-grandchildren—have done good things for America throughout the country. That is what America is all about. These people are not fleeing to break the law. They are not fleeing to traffic drugs. They are fleeing because the gangs down there have told the parents: We will rape your daughter, we will murder your son, and we will burn your house if you don't do what we want. They are fleeing for the safety, the beauty, and the opportunity of America, which generations since the 1600s have done and have made this country great.

We need to return to a rational discussion about the reality on the ground, and that includes a discussion about the root causes of immigration. Again, when the President says Americans should know that all of these people arriving at our borders are criminals trying to game the law, he should know who they are. As I said, Mark Morgan, his own CBP Commissioner, admitted as much to our congressional delegation on Friday when we questioned him. The vast majority of families are fleeing unimaginable violence and degradation in their countries. So let's get at the root causes of this, instead of just tweeting and going on TV and ranting, which people have done.

First, allow migrants to apply for asylum inside their own countries. Second, hire more immigration judges to reduce the backlog in cases at the border. Third, provide security assistance to these Central American countries to help them crack down on the vicious gangs and drug cartels that cause so many to flee in the first place.

This is a rational thing to do. I think most Americans, regardless of their ideology, regardless of their party, re-

gardless of their political position, would support this. But the Trump administration has now pledged to end the security assistance to Central American countries. That is counterproductive. It is boneheaded because it is going to cause more people to flee. Unfortunately, it is been typical of the President's approach. This morning, the President tweeted and bragged about how he has cut off funding to Guatemala 9 months ago. It is counterproductive. That means more—not fewer—people at our borders, plain and simple.

In my experience, I have not seen the President be serious about dealing with immigration. He has used the issue; he riles up his base without telling them the truth, making them think they are all criminals—I see this on FOX News all the time as well—demeaning immigrants, who are what America is all about, inflaming racial tensions, and stoking fear.

So we in Congress, Democrats and Republicans, should take the lead and develop a way forward, a real way that will solve the problems at the border in a way that complies with humanity, the American way, and the rule of law.

#### BUDGET AGREEMENT

Madam President, on a different subject, yesterday, four congressional leaders in the Trump administration reached a bipartisan agreement that will strengthen our national security and clear the way for important investments in America's middle-class—investments in healthcare, education, childcare, veterans, cancer research, and more.

First and foremost, I am pleased to report that in this deal, Democrats have finally found a way to end the threat of sequester permanently. The arbitrary and draconian limits of the sequester have hammered our ability to invest in working Americans for too long. There are large forces pushing the middle class around—globalization and automation—and the only answer, because most of our international companies haven't really made the effort at least until now, is government providing ladders—ways out, ways in, and ways up—so that average middle-class people can maintain that great American dream, which means, simply put, if you work hard, you will be doing better 10 years from now than you are doing today, and your kids will still be doing better than you. We need those kinds of programs—education, infrastructure, healthcare, and childcare—to make this happen; otherwise, these big economic forces are going to continue to push the middle-class and poor people around. The wealthy—they will do fine, even though this Republican Party and this administration seem to make them their first choice. Look at that tax cut.

So this is a good thing. It means that the shadow of sequestration, the inability of the government to provide ladders so that middle-class people can

deal with the big forces pushing them around, will no longer hover over our work on the Federal budget.

Not only did we permanently end that devastating sequester, which, by the way, the military hated, as well as people who wanted help on the domestic side—it slashed them as well. General Mattis was fanatic, almost, in a good way about this. I miss him. But we Democrats did this in an extraordinary fashion.

The agreement includes a significant increase in funding for critical domestic priorities, including an increase in the domestic budget authority that even exceeds the increase in defense by \$10 billion over the next 2 years. For those counting, yesterday's deal means that Democrats have secured over \$100 billion in funding increases for domestic programs since President Trump took office. At the same time, it ensures that our military is prepared to keep Americans safe around the world.

This \$100 billion sounds abstract. But let me tell you what it means: more funding to the States for opioid treatment. The States are desperate for more help. Young people are dying of these horrible drugs. Treatment works.

I held in my arms a father from Buffalo whose son had served in Iraq, had PTSD, and then got hooked on opioids when he came back here. Finally, the kid hit bottom. He said: Dad, I want to go to a treatment center.

Unfortunately, there was a 23-week waiting period, and the young man killed himself in the 22nd week. The father cried in my arms, a big steel worker with tattoos and everything else. He was devastated, as anybody else would be over the loss of a child. Now there will be more money for that. This is not abstract.

What about fixing VA hospitals? What about more money to help educate our kids properly? What about some money to make the burden of college less great, as heavy as it is? What about money for climate and clean energy? What about money for infrastructure and transportation? That \$100 billion is not abstract. It is for all of these things. It is going to mean jobs for the American people. It is going to mean ladders up for the American people. It is going to mean some hope for the American people.

I know that on the other side some on the right will say: This increases the deficit. Just a year ago they voted to increase the deficit by \$1.5 trillion—now, maybe \$2 trillion—with a deep tax cut, the overwhelming part of which went to the wealthiest people in America. So don't start hollering "deficit" when it comes to helping the middle class when you are willing to deepen the deficit when it comes to helping the wealthy. Of course, now, part of this is that the debt ceiling will be extended until the summer of 2021, preserving the full faith and credit of the United States.

Looking forward, I think we have laid the groundwork for legislation

that will hopefully avoid another senseless and harmful government shutdown. The House will now move quickly to put this agreement up for a vote, and then the Senate can follow suit and send it to the President's desk. I was glad to see that the President tweeted—I believe it was tweeted—and put out a statement that he supports this agreement.

#### 9/11 VICTIM COMPENSATION FUND

Mr. SCHUMER. Madam President, finally, there is something we can vote on today at long, long last—the 9/11 Victim Compensation Fund for those brave heroes who rushed to the Towers on 9/11. The light at the end of the tunnel of what has been a very long and sometimes very dark time is now only a few hours away. We have waited too long to settle this matter. Too many people have put up bipartisan roadblocks along the road.

Now we are here, about to exit the tunnel and guarantee once and for all that the heroes who rushed to the Towers 18 years ago will no longer have to worry about compensation for their families when they are gone. These men and women, many of them sick, some of them gravely so, will not have to return to Congress anymore to fight for the compensation they always should have been given. They will be able to go home, tend to their illnesses, their family members, and their friends. That is what they always wanted to do—just take care of themselves, their families, and their friends who got sick from the poisonous stuff that was in the air right after 9/11, when, bravely, these men and women rushed to the Towers. That is what we want. We have waited too long.

Now, we are going to have a few amendment votes first, and I warn my colleagues on both sides of the aisle: If you vote for these amendments, you will, at best, delay the bill but, at worst, kill it. Neither is a good choice, neither is a palatable choice, and neither is an acceptable choice. Let's defeat these amendments. I believe they will be defeated. Then, let's pass the bill overwhelmingly.

This body has come together to help veterans time and again. These people are just like veterans, and 9/11 seemed like a war. I was there. I was there the next day. I was in Washington the day it happened. In a time of war, these brave people selflessly risked their lives and rushed to the Towers to defend our freedom, just like our soldiers do and just like our armed services do. So we should sign this bill into law.

Now, I will have more to say on the matter before and after the vote, about what this means, and thanking the many people, particularly the first responders—names like Zadroga, Pfeifer, and Alvarez—who made this happen. Until then, let me just say it is hard for me to express how much I am looking forward to passing this bill here today.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. THUNE. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### RESERVATION OF LEADER TIME

The PRESIDING OFFICER. Under the previous order, the leadership time is reserved.

#### CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

#### LEGISLATIVE SESSION

#### NEVER FORGET THE HEROES: JAMES ZADROGA, RAY PFEIFER, AND LUIS ALVAREZ PERMANENT AUTHORIZATION OF THE SEPTEMBER 11TH VICTIM COMPENSATION FUND ACT

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of H.R. 1327, which the clerk will report.

The senior assistant legislative clerk read as follows:

A bill (H.R. 1327) to extend authorization for the September 11th Victim Compensation Fund of 2001 through fiscal year 2092, and for other purposes.

#### NOMINATION OF MARK T. ESPER

Mr. THUNE. Madam President, later this morning we will be voting on the nomination of Mark Esper to be Secretary of Defense. Dr. Esper is an outstanding choice. I don't need to tell anyone how essential the position of Secretary of Defense is to our national security. The Secretary of Defense is key to ensuring that our Nation is prepared to meet and defeat any threat. Dr. Esper has the experience, the knowledge, and the character for the job. He has an illustrious resume: West Point grad, Gulf war veteran, Bronze Star recipient, Rifle Company commander, a total of 10 years on Active Duty, and an additional 11 in the National Guard and Army Reserve.

In addition to his practical military and leadership experience, he has extensive experience on the policy side of things as well. He has a master's degree from the John F. Kennedy School of Government at Harvard and a doctorate in public policy from George Washington University here in the Nation's Capital. He worked as a senior professional staff member on the Senate Foreign Relations Committee and the Governmental Affairs Committee, as policy director for the House Armed Services Committee, and as national security adviser to former Senate Majority Leader Bill Frist. He also served

as a Deputy Assistant Secretary of Defense during the George W. Bush administration, and during the Trump administration, of course, he has served as Secretary of the Army.

As Army Secretary, he has driven budget reform and Army modernization, supported Defense cooperation with our allies, and supervised the most significant reorganization of the Army in 45 years. His character and his expertise have won him respect from both sides of the aisle.

The Democratic junior Senator from Virginia recently described Dr. Esper as “a person of sound character and moral courage” and encouraged his colleagues to support Dr. Esper’s nomination.

Reacting to Dr. Esper’s appointment as Acting Defense Secretary, the Democratic chairman of the House Armed Services Committee noted that the Department of Defense would benefit from Dr. Esper’s leadership.

Dr. Esper was confirmed as Secretary of the Army by an overwhelming bipartisan majority, and his nomination as Defense Secretary was reported out of the Senate Armed Services Committee with nearly unanimous support. I look forward to seeing a similarly strong bipartisan vote for his confirmation later today.

In November 2018, the bipartisan National Defense Strategy Commission released a report warning that our readiness had eroded to the point where we might struggle to win a war against a major power like China or Russia. The Commission noted that we would be especially vulnerable if we were called on to fight a war on two fronts.

Rebuilding our military and equipping it to meet 21st century threats has to be a priority. I was encouraged yesterday by the fact that the budget deal arrived at by the administration and Speaker PELOSI prioritizes money for our military. While it is not a perfect piece of legislation, it will ensure that we are able to keep rebuilding our military and deliver on-time funding for our men and women in uniform.

During his confirmation hearing, Dr. Esper revealed his clear understanding of what needs to be done on the national security front: modernize and rebuild our military; ensure that we are prepared for a new era of great-power competition while maintaining our ability to confront terrorist organizations and rogue nations; cultivate our relationship with our allies; and support our men and women in uniform, who sacrifice so much to keep our Nation safe and free.

I am confident that Dr. Esper will be an outstanding Secretary of Defense, and I look forward to supporting his nomination later today.

I yield the floor.

**THE PRESIDING OFFICER.** The Senator from Washington.

**NOMINATION OF STEPHEN M. DICKSON**

**Ms. CANTWELL.** Madam President, I rise today to speak in opposition to the

nomination of Stephen Dickson to be the next Administrator of the FAA.

I have said that it is very important that in this day and age, when it comes to aviation, safety must always be our top priority. We considered Mr. Dickson’s nomination, his record, and the ongoing case of a whistleblower retaliation, and given all of that, it is clear to me that he is not the right person for the safety culture we need today at the FAA.

It is distressing to me that Mr. Dickson advanced out of committee on just a party-line vote. We have never had a partisan vote on an FAA nominee in the past, and I believe we should have found consensus on the nominee for the FAA given all the concerns the public has about flying safety.

The reason why I oppose Mr. Dickson is from what I understood, after the hearing, from First Officer Karlene Petitt, who has a Ph.D. in aviation safety and is an experienced pilot over 40 years and happens to be one of my constituents. At a hearing, we basically understood that no one was holding Mr. Dickson accountable for actions that he took against her at Delta Airlines.

Back in 2010, she was a pilot on an A330 flight. She had seen a crash of an A330 plane—tragically, an Air France plane in the Atlantic Ocean. She had also heard comments from those in the Delta executive team that if you have a concern about safety, say something. So she thought she was doing just that.

As part of what she thought was important information following these A330 incidents, she said she had concern about pilot training when it came to potential automation and failures of making sure that they were giving enough rest time to pilots. She observed that there were issues she thought were putting both her and passengers at risk.

So what did she do? She did what all employees, we hope, would do. She informed her superiors and suggested possible solutions. She was persistent and wanted to make sure that these recommendations were met with by the leadership of the organization—Mr. Dickson and his second-in-command, Jim Graham. Some of the concerns she raised about inadequate pilot training and not enough pilot rest were things that you thought would have maybe gotten her recognized for the great contribution to a safety culture that is so necessary today in an age of more and more automation. Whether you are talking about an automobile or an airplane, it is essential that automation and training go hand in hand.

Instead of Officer Petitt getting the attention she deserved, the company sent her for a mandatory psychiatric evaluation. Can you imagine a whistleblower bringing up concerns as a pilot flying for many years and instead of being paid attention to, being sent for a psychiatric evaluation?

Just a few months after Officer Petitt raised her concerns, that is ex-

actly what happened. Delta and Mr. Dickson removed her from duty and required her to undergo a mental health evaluation, forcing her to protect her career and her reputation.

The psychiatrist Mr. Dickson’s team handpicked to examine Ms. Petitt had his own problems of serious red flags and retaliatory threats. For example, the doctor cited that just because Officer Petitt had three kids, a job, and helped her husband with his career, she must be manic. I don’t know about the Presiding Officer, but to me it just sounds like being an American woman today, juggling many things.

The psychiatrist even had the nerve to ask when the first officer was pumping breast milk for her children. That is the kind of questioning the officer had to answer.

The good news is that there are laws on the books that protect people in these kinds of incidents when they are a whistleblower and they have been retaliated against.

Later, a panel of eight doctors from the Mayo Clinic and another independent doctor came to the opposite conclusion of this psychiatrist, stating that Officer Petitt had no mental issues and that she should continue to fly as she had done for many years.

It is very unfortunate that this situation arose, but it is more unfortunate that Mr. Dickson was not evenhanded about it when his nomination came before the committee. It is standard operating procedure in the U.S. Senate to ask nominees this question: Have you or any business or nonprofit that you have been associated with been involved as a party to an administrative agency, criminal, or civil litigation?

Why do we want to know that? We want to know of any kind of derogatory information about a nominee whom we are about to entrust with the public confidence through the U.S. Senate. We want to know whether there have been any issues and whether that trust has been misplaced. Instead of answering that question, he did not bring up this incident at Delta.

I don’t know of any nominee before the Commerce Committee who, having failed to disclose this kind of information, then moved forward after it was brought up. That is right. The only reason we knew about this incident is not because of his requirement to disclose it and his failure to disclose it but because, during the hearing when everybody heard all of this glowing information, a whistleblower came forward to explain to members of the committee that this incident took place and exactly what had happened to her in her career as she tried to raise important issues.

When Mr. Dickson was asked for further information about this lawsuit and why he didn’t disclose it, he went on to minimize his involvement, saying that it amounted to essentially one meeting with the pilot; however, a review of written records, emails, depositions, and other materials showed that

Mr. Dickson was more involved than just one meeting.

We all want our officials to show a commitment to safety, establishing rules and a culture that protects the flying public. That is one reason Captain Sullenberger has come out against this nominee. He knows that when it comes to creating a culture of safety, it has to start at the top, and we have to listen to people like the pilots who are showing concerns today about the Boeing 737 MAX. We should listen to them and the inspector general on what types of processes should be put in place to resolve the challenges we face as we integrate more automation.

Automation can help us make things safer, but automation without the pilot training, without the integration, without a culture that rewards people for bringing up issues, instead of almost red-coding them as a response, is not what we need to be doing.

A 2016 report by the Department of Transportation inspector general highlights the essential role of FAA oversight to reduce the hazards with regard to increased reliance on flight deck automation. The FAA estimates that automation is used 90 percent of the time in flight. Yet, according to the inspector general report, the FAA did not have a process to ensure that airline pilots are properly trained to use and monitor automation systems while maintaining proficiency in manual flight operations.

The report recommended that the FAA provide guidance in defining standards that airlines can use to train and evaluate pilots in the use of automation. It also recommended that standards be established to determine whether pilots were receiving sufficient training to develop and maintain manual flying skills.

These are the very matters First Officer Petitt had focused on when making her observations and suggestions regarding safety. They are as critical today as they were for the A330.

We are living in an era of increasing automation, and we have work to do. I guarantee that we are going to continue to play a role in this in the Commerce Committee, making sure the inspector general's criticisms of the FAA with regard to these issues are addressed. We need someone on the frontline who takes safety seriously and listens to the pilots. I know these issues are weighing on the American public—the very questions that Dr. Petitt asked. I am sure, with the right amount of engineering and cooperation, we can get them right.

But Mr. Dickson has doubled down. He basically said that he had no regrets about how he handled the situation when we came back at him about the fact that the information wasn't submitted. He basically said he had no regrets about trying to end a 40-year career of a whistleblower. I find this very challenging. I want the FAA to move forward with confidence that we are going to create the safety culture necessary for today's environment.

Captain Sullenberger said it best:

This nominee, while a senior executive at Delta Airlines, either caused or allowed a whistleblower with validated safety concerns to be retaliated against. I strongly oppose his nomination. The decisions the next FAA Administrator makes will determine how safe every airline passenger and crew will be.

I know that it is hard for people in busy jobs to slow down and listen to whistleblowers, but I guarantee they have helped us many times to solve many problems.

I ask my colleagues to turn down this nomination today and to help us create an environment where whistleblowers will be listened to.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. WYDEN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. SCOTT of Florida). Without objection, it is so ordered.

#### ENCRYPTION

Mr. WYDEN. Mr. President, today I rise to rebut the deeply flawed proposal the Attorney General made this morning. This morning, he raised a tired, debunked plan to blow a hole in one of the most important security features protecting the digital lives of the American people. Mr. Barr—once again echoing the views of some on the far, far right—is trying to undermine strong encryption and require government back doors into the personal devices of the American people.

"Encryption" is a technical term that gets thrown around by people in government who don't want you to use it. The idea, however, is simple: It is using math to encode your information so that the only people who can read it are the ones you want to read it.

As is often known, encryption is used every time a credit card is swiped or an online bank account is accessed. It helps protect our kids from predators who would spy on them through their cell phone cameras or surreptitiously track their movements. It keeps our health records, our personal communications, and our other sensitive data secure from hackers. Strong encryption helps protect national security secrets from hackers working for the Russians, the Chinese, the North Koreans, and other hostile governments.

I have spent a full decade fighting off horrible plans to undermine strong encryption. My usual argument goes something like this: You can't build a back door only for the good guys, for government officials who are trying to protect people. Once you weaken encryption with a back door, you make it far easier for criminals and hackers and predators to get into your digital life. Then I go through all the reasons the government's plan to build a back door is just about the worst idea since Crystal Pepsi.

Today, I want to raise some even more pressing concerns that are new. Many times in the past, I have warned that unnecessary government surveillance holds the potential to be abused, but I have never done what I am doing today. Today, I fear—rather, I expect that if we give the Attorney General and the President the unprecedented power to break encryption across the board and burrow into the most intimate details of Americans' lives, they will abuse those powers. I don't say that lightly. Yet, when I look at the record, the public statements, and the behavior of William Barr and Donald Trump, it is clear to me that you can't make the case for giving them this kind of power. There is too much evidence that they will abuse it. Their record shows they do not feel constrained by the law. They have not been bound by legal or moral precedents. Donald Trump, by his own words, has no ethical compunction—these are his words—about using government power against his political enemies.

Never before have I been so certain that an administration in power would knowingly abuse the massive power of government surveillance. It is for that reason that building government back doors into the encrypted communications of the American people is now uniquely dangerous and must be opposed at all costs.

These are serious charges that I have made, and I am going to walk through my reasoning. First, I would like to discuss the Attorney General's history when it comes to government surveillance and government power.

When this body voted on Mr. Barr's nomination earlier this year, I laid out in great detail his history when it comes to Executive power. Anyone wishing for a full airing of Mr. Barr's lifelong devotion to unbounded Executive power can dial up those remarks of mine on C-SPAN, but I just want to highlight one item again this morning.

Mr. Barr testified in October of 2003, and he laid out his ideological position that the President is not restrained when it comes to surveilling people here in the United States—not by laws passed by Congress, not by the Fourth Amendment, no constraints.

In that 2003 testimony, Mr. Barr said that the PATRIOT Act didn't go far enough in terms of government surveillance. Even worse, Mr. Barr said that laws going back to the 1970s have no real effect on Presidential power. Mr. Barr said: "Numerous statutes were passed, such as FISA"—Foreign Intelligence Surveillance Act—"that purported to supplant Presidential discretion with Congressionally crafted schemes whereby judges become the arbiter of national security decisions." In one sentence, Mr. Barr just swept 40 years of congressional action and 200 years of constitutional governance out the window. We ought to take him at his word that he has contempt for the Fourth Amendment and critical laws that protect our law-abiding people.

It is far more than just words, however, that lead me to this conclusion. It is now public record that William Barr, when he was Attorney General in the 1990s, approved a massive, illegal surveillance program.

The inspector general at the Department of Justice revealed this March that William Barr gave the OK to a bulk phone records dragnet at the Drug Enforcement Agency that ran for more than 20 years. The inspector general found that Mr. Barr never even looked to see whether that Drug Enforcement Administration bulk surveillance program was legal. The inspector general called it “troubling” because of the disconnect between what the law says and how it was secretly being interpreted and used. The Drug Enforcement Agency program that William Barr approved relied on subpoena power that requires that the records being collected be “relevant or material” to an investigation. But Mr. Barr didn’t bother to consider whether all of those phone records that were collected in bulk were consistent with the law; he just went ahead and rubberstamped it.

The inspector general tends to be polite about outright calling government programs illegal, but even the inspector general pointed out that there are multiple court cases that “clearly suggested potential challenges to the validity of the DEA’s use of this statutory subpoena power in this expansive, non-targeted manner.”

Finally, the inspector general found that the records collected from the program were used outside the Drug Enforcement Agency for investigations that had nothing to do with drugs—a practice the inspector general said “raised significant legal questions.”

The inspector general goes on to note that Congress was kept almost entirely in the dark. At a time when the American people are hungry for transparency and openness and accountability, the inspector general says Congress was kept in the dark by Mr. Barr about a decades-long, illegal bulk collection program, with the exception of a single secret Intelligence Committee hearing in 2007. Even then, it was obvious the program was illegal. That is why my colleague Senator Feingold and I wrote to the head of National Intelligence pointing out that the subpoena authority the DEA was using was never intended for bulk collection. This was secret law, and it was wrong and dangerous.

That is why I wanted to make sure people knew Mr. Barr’s history, because this secret, illegal bulk collection program was approved by the current Attorney General. So you have an Attorney General who not only has said he is not constrained by the law, but he has a history of breaking the law. You also have a President who almost every day expresses contempt for any legal or constitutional restraints on his powers. That attitude applies to surveillance too. In 2016, in response to

Russian hacking of his opponents, Donald Trump said: “I wish I had that power.”

So Donald Trump—a President who Attorney General Barr thinks can do no wrong—is the one who is driving this. This is the President who Attorney General Barr thinks is above the law. This is the President whom the Attorney General will, in effect, cover for at virtually every turn, as he did when he repeatedly lied about the contents of the Mueller report.

Let me close by talking about why this matters to William Barr’s efforts now to break into Americans’ encrypted communications. The argument that the government needs to weaken encryption has always been based on the promise that the government will never use the back door without a court-ordered warrant.

Yet Mr. Barr, in his own words and actions, has demonstrated repeatedly, when it comes to surveillance, that the laws don’t matter, that the courts don’t matter, and that even the Constitution doesn’t matter. The only thing that matters is what he and the President feel like doing.

So I would ask my colleagues who are here, what Senators in their right minds would give these men the authority to break into the phone of every single American? Imagine what kind of information they could gather on their political opponents. Imagine if a Member of Congress were secretly gay and were desperate to hide the fact. Despite campaigning on family values, imagine if a Member of Congress had cheated on his wife. Would a man like the individual I have described here use that information against them? Would Donald Trump use it to secure their loyalty in the face of his own wrongdoing?

I understand that the world is a frightening place, and anybody who serves on the Select Committee on Intelligence would share that view. Some government agencies will always advocate for greater powers to surveil Americans and intrude into their digital lives. It is important to remember, as I touched on in the beginning, that the banning of encryption in America will not stop the bad guys from using encryption, and it will not ban basic math algorithms elsewhere in the world. It will only leave Americans less secure against foreign hackers, and—I regret having to say this—it will leave Americans less secure against intrusions by an administration that has shown it is willing to support lawless measures.

I yield the floor.

The PRESIDING OFFICER. The Senator from Arizona.

MAIDEN SPEECH

Ms. SINEMA. Mr. President, I am honored to rise to deliver my maiden speech as the senior U.S. Senator from the great State of Arizona. I was sworn in to this distinguished body just over 6 months ago. I am incredibly honored and humbled to join only a dozen oth-

ers who have had the honor of representing the great State 48 in the U.S. Senate, and I am filled with gratitude to the people of the State who have entrusted me with this duty. In continuing the work of leaders who have held the Senate seat, from Senators Barry Goldwater and Dennis DeConcini to, most recently, Senators Jon Kyl and Jeff Flake, I have pledged to uphold Arizona’s proud tradition of putting country above party.

Most new Senators deliver their maiden speeches soon after being sworn in. I have waited so I could use these 6 months to demonstrate to Arizonans, in actions more than words, exactly how I intend to serve our State in the Senate. I promised Arizona that I would do things differently than have others in Washington.

Americans see a lot of chaos in this city. There is intense pressure from all sides to spend time and energy on every scandal, every insult, every tweet, and every partisan fight, and it is very easy to get distracted. It is the simplest thing in the world to line up on either side of a partisan battle. What is harder, though, is to ignore the chaos and get out of our comfort zones to build coalitions and get things done. I promised Arizona I would do the hard work, and that approach has produced results.

In these first 6 months, two bills I have sponsored to improve protections and services for veterans have passed the Senate and the House, and they now await the President’s signature to put them into law. These new measures expand American Legion membership to veterans across the country, protect veterans from scam artists, and help veterans achieve the dream of home ownership. Few efforts better illustrate my approach to service or are more worthy of our attention than that of the Somers family.

As a Congresswoman, I shared the story of SGT Daniel Somers on the floor of the U.S. House, and I will now share that story for the first time on the floor of the Senate.

Sergeant Somers was an Arizona Army veteran who served two tours in Iraq. He served on Task Force Lightning, an intelligence unit, and ran more than 400 combat missions as a machine gunner in the turret of a humvee. Part of his role required him to interrogate dozens of terror suspects. His work was deemed classified.

Like many veterans, Sergeant Somers was haunted by the war when he returned home. He suffered from flashbacks, nightmares, depression, and other symptoms of post-traumatic stress disorder—all made worse by a traumatic brain injury. Sergeant Somers needed help.

He and his family did what all families who face similar challenges are urged to do—they asked for help. Yet, when the VA’s answer came, it demonstrated exactly what happens when America’s veterans are left behind. The VA enrolled Sergeant Somers in group



therapy sessions—sessions he could not attend for fear of his disclosing classified information. Despite repeated requests for individualized counseling or some other reasonable accommodation to allow Sergeant Somers to receive appropriate care for his PTSD, the VA delayed in its providing him with suitable support and care.

Like many veterans, Sergeant Somers' isolation got worse when he transitioned to civilian life. He tried to provide for his family, but he was unable to work due to his disability. He struggled with the VA bureaucracy. His disability appeal had been pending for more than 2 years without there having been any resolution, and he didn't get the help he needed in time.

On June 10 of 2013, Sergeant Somers wrote a letter to his family.

He wrote:

I am not getting better. I am not going to get better. And I will most certainly deteriorate further as time goes on.

He went on to write:

I am left with basically nothing. Too trapped in a war to be at peace. Too damaged to be at war. Abandoned by those who would take the easy route and a liability to those who stick it out and thus deserve better. So you see, not only am I better off dead, but the world is better without me in it. This is what brought me to my actual final mission.

On that day, we lost SGT Daniel Somers to suicide.

Americans who return home from having served our Nation must always have somewhere to turn for support. I am committed to ensuring that no veteran feels trapped like Sergeant Somers did and that all of our veterans have access to appropriate mental health care.

Sergeant Somers' story will sound too familiar to too many military families. Perhaps less common is the astonishing bravery that had been demonstrated by Sergeant Somers' parents, Howard and Jean, after their son's death.

Howard and Jean are in the Senate's Gallery today, and I am so honored to have them here as I share their son's story.

Howard and Jean were devastated by the loss of their son, and nobody would have blamed them if they had turned inward to deal with their grief, but they didn't. Howard and Jean faced the world and bravely shared SGT Daniel Somers' story, and they have created a mission of their own. Their mission is to ensure that Sergeant Somers' story brings to light America's deadliest war—the 20 veterans we lose to suicide in this country every day.

While I served in the U.S. House, I worked closely with Howard and Jean to develop and pass into law the Daniel Somers Classified Veterans Access to Care Act, which is legislation that ensures veterans who serve in a classified capacity receive behavioral health services in an appropriate care setting.

Now it is time to take the next innovative step in providing the support our servicemembers and veterans have

earned, for servicemembers' loved ones are not always aware of the resources that are available to them—resources that can prove to be critical when those servicemembers encounter challenges during Active Duty or after their separations from the military.

The Somers' family and I have worked over the past several months with the Department of Defense on new legislation to create a network of support for our military members. In May, I introduced the bipartisan Sergeant Daniel Somers Network of Support Act, which was cosponsored by my friend and colleague on the Veterans' Affairs Committee, Republican Senator THOM TILLIS. Our legislation requires each new servicemember be asked for the names of loved ones whom he or she considers to be part of his or her network of support. In return, the Department of Defense and the Red Cross will provide information about benefits and services that are available to military members.

By engaging loved ones and families from the beginning, the Department of Defense can better prepare and equip our military families and friends to better understand military life, to notice when servicemembers are in need, and to help ensure that servicemembers get the right kind of assistance or care. We must do everything possible to empower family and friends, who are the first line of defense in our preventing suicide amongst our veterans and servicemembers.

This commonsense solution could be a game-changer for the men and women who have risked their lives to protect our freedoms, for their isolation leads to tragedy. We have worked with Congressman SCOTT PETERS, of California, who has introduced companion legislation in the U.S. House. In working as a team across party lines, we successfully included our network of support legislation in the national defense bill that was passed by both the Senate and the House over the past few weeks.

I am proud of this accomplishment, but we have so much more to do. When servicemembers transition from active service to veteran status, they face old and confusing regulations that can be difficult to navigate even for those who are able to care for themselves. We must ensure that veterans who receive care from the VA also have a network of support in place to help them thrive and prosper when they return to civilian life. I have spoken directly with VA Secretary Robert Wilkie, who expressed his support for extending the network of support to veterans, and I look forward to working closely with him to get it done.

As we continue this work, I urge my colleagues to join me in expanding this critical program. We can help ensure together that all veterans have networks to turn to so they never have to face their challenges alone.

The story of Sergeant Somers and his parents, the failure of the VA bureauc-

racy to provide the support this Arizona veteran needed, and the resulting tragedy is not a story that dominated the national headlines. It is not a political scandal, and it is not a partisan food fight to which Members of Congress are pressured to respond. It is not what reporters in the Capitol's hallways ask me about, and it is not what people tweet to me on a daily or on even an hourly basis. You will never see a push notification on your iPhone about legislation like ours. Yet this is the kind of work that matters. It matters to Sergeant Somers' parents, and it matters to veterans across my State. It matters to military families and to loved ones, and it matters to Arizona. It is exactly why, as Arizona's senior Senator, I will not spend my time focusing on areas of disagreement, because expending energy on the latest tweet, on the latest insult, and on petty politics simply doesn't move the needle for everyday people like the Somers.

As a member of the Veterans' Affairs Committee, I am fortunate to serve with Republican Chairman JOHNNY ISAKSON and Ranking Member JON TESTER—two Senators who demonstrate every day what can get done when leaders put aside their differences and work toward common goals. Our bipartisan legislation got this far thanks in part to support from Senators ISAKSON and TESTER, as well as from the leaders of the Armed Services Committee, Chairman JAMES INHOFE and Ranking Member JACK REED. However, in this effort and in so many others, I sorely miss the leadership of the former Armed Services chairman and my personal hero, John McCain.

So many of my colleagues in this body came to know and love Senator John McCain for his military heroism and for his years of leadership in the Senate. Back home in Arizona, Senator John McCain is also a hero for what he represented in public service.

What Senator McCain said in his last speech in this very Chamber shapes my service to Arizona every day. He said:

But make no mistake, my service here is the most important job I have had in my life. And I am so grateful to the people of Arizona for the privilege—for the honor—of serving here and the opportunities it gives me to play a small role in the history of the country I love.

He went on to say:

Merely preventing your political opponents from doing what they want isn't the most inspiring work. There's greater satisfaction in respecting our differences, but not letting them prevent agreements that don't require abandonment of core principles, agreements made in good faith that help improve lives and protect the American people. . . . What a great honor and extraordinary opportunity it is to serve in this body.

Senator McCain talked of what is possible when the Senate works the way it was meant to work. He stood for everything we stand for as Arizonans: fighting for what you believe in, standing up for what is right even if you stand alone, and serving a cause greater than one's self.



He taught us to always assume the best in others, to seek compromise instead of sowing division, and to always put country ahead of party.

One of Senator McCain's last acts in the Senate was to shepherd last year's annual Defense bill into law—the same annual bill which, this year, includes our Daniel Somers Network of Support Act. I hope we are making Senator McCain proud with such important work.

With Senator McCain's example lighting the way, and with the trust of the people of Arizona shaping my service, I recommit to ignoring political games and focusing on upholding Arizona values to get things done for the State and for the country I love.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Ms. ROSEN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### BORDER SECURITY

Ms. ROSEN. Mr. President, I rise to address an issue that transcends politics and strikes at the very core of who we are as Americans.

Throughout my time in Congress, I have made it my priority to work with my colleagues on both sides of the aisle, to look past partisanship, and to work toward passing commonsense legislation so we can help working families in Nevada and across our country.

In the House, I was proud to be named one of the most bipartisan Members of Congress, and that is a title I plan to keep in the Senate. So I hope my colleagues recognize the seriousness of why I rise today.

It is without partisan motivation when I say that we have a crisis on our hands. Make no mistake about it, there is a humanitarian crisis at our southern border and we are failing to address it. This administration is failing to address it. This Congress is failing to address it.

With violence and political unrest increasing in the Northern Triangle countries of El Salvador, Honduras, and Guatemala, we are experiencing a surge in the number of migrants who have come to our southern border seeking refuge from violence and persecution.

More than 60 percent of migrants are families and unaccompanied children fleeing for their lives and seeking a safe place. Children and their families are coming to our country for the same reasons so many of our ancestors did—because they have no other choice. They are coming to the United States, a nation of immigrants, a nation built on a foundation of core values, and we do not turn away those fleeing persecution and certain death.

It is those same values that tell us that when children—including infants

and toddlers—are at our doorstep, we do not put them in cages, tear them from their mother's arms, let them go without showers, food, or medical attention, or let them sleep on cold floors.

The reality is, Customs and Border Patrol officers are not trained to care for children, much less those who have experienced trauma. They are not prepared nor qualified to provide the much needed care to the families and children who are coming here.

What is also true is that there are members of our Border Patrol and law enforcement who are trying to do the right thing. Those men and women signed up to protect our country from terrorism, narcotics, and foreign threats. They are not trained to take care of traumatized children. The fact remains, the state of things in these immigration facilities is untenable and indefensible.

I have had the chance to see this crisis firsthand, so allow me to speak a little bit on what I have witnessed and how we got here.

Children and families have been placed into overcrowded and unsanitary facilities, left without suitable living conditions or even the most basic of necessities for days or even weeks.

Last year, while serving as a member of the House of Representatives, I traveled to the U.S.-Mexico border with one of my colleagues. We toured the Tornillo unaccompanied minor facility and the Paso del Norte Processing Center in Texas. What we witnessed there was heartbreaking.

We saw a tent city holding unaccompanied migrant children and children separated from their parents. They have no access to legal counsel, no way to regularly talk to their families. They are without any idea of what might happen next. Throughout their camp, there was a sense of anxiety, hopelessness, and despair. I have carried the images of what I saw during that tour with me to this day.

In committee testimony and in followup briefings, in conversations with the administration and its agencies, we were told conditions would improve, that plans were in place to provide the care that is so desperately needed, and that families would be reunited. We now know that was wrong.

We have all seen the news and read reports detailing the abysmal state of these facilities—children still in cages, still going to sleep hungry, still going weeks without bathing or having access to clean clothes, young children being tasked by officers to care for toddlers, and, in some cases, allegations of sexual abuse by officers.

To find out firsthand whether conditions are improving, just last week I joined my Senate colleagues in touring detention facilities in the McAllen, TX, area. I am sad to say these news reports are accurate. These horrific conditions have not changed, families are still being separated, children are still

in cages, not knowing if they will ever see their parents again, and this administration continues to ignore basic human rights. Children should never be held in these conditions under any circumstances, for any amount of time, period.

We saw children stuffed into crowded spaces. The people detained in these facilities lack access to basic necessities like toothpaste and access to sanitary supplies. There are few, if any, pediatricians, no child welfare professionals, no hope, just thousands of children and families in the care of law enforcement officers. This is not who we are.

The dehumanization of migrants, including many tender-age children in our detention centers today, is unacceptable. The psychological trauma they have experienced, and that they are continuing to experience, will likely leave children with deep scars that will haunt them for the rest of their lives.

Let me be clear: We are failing our law enforcement, we are failing our families, and we are failing children.

We can agree that immigrants with criminal records or those who have falsified their reasons for coming should not be allowed to stay, but during my visit to McAllen last week, the acting head of Border Patrol told all of us that the vast majority of migrant families are not criminals.

I refuse to stand by while this takes place on American soil. So I decided to take action by placing holds on two individuals nominated by this administration to serve in administrative and policy roles of DHS until conditions in these facilities drastically improve, until DHS meets the standards it is obligated—obligated—to uphold.

This is the United States of America. All children deserve to be treated humanely and with dignity, and those of any age who come to our country claiming asylum have a legal right to present their case.

We must ensure that we achieve, at the very least, minimum humanitarian standards at CBP facilities. That means all CBP facilities where children are processed or detained need to have onsite medical professionals with pediatric training and child welfare professionals. That means implementing a process for announced and unannounced site visits by NGOs so we can ensure proper oversight and accountability, as well as direct services for children. Even something as simple as a sign that communicates to migrant families explaining where they are and what to expect—something that simple could reduce anxiety and hopelessness that these individuals and children are feeling.

There is so much good in the American people, and that shows in the outpouring of support from NGOs that are ready and willing to step in and respond. They do so many other humanitarian efforts. Yet our government is

turning away these offers of help. Conditions at these facilities have not improved, and until they do, I will not remove my holds on this administration's nominees.

Once we have taken the necessary steps to ensure migrant children are being held in safe and sanitary conditions, we must then take up the critical and long-overdue task of reforming our long-term immigration policy. We owe it to migrant children and families to reach an immediate solution. We owe it to our law enforcement to prevent this difficult situation from continuing.

We must come together. We must take action now because, at the end of the day, these are human lives, and they depend on us.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. WICKER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

VOTE ON STEPHEN M. DICKSON

Mr. WICKER. Mr. President, in a few moments, at 12 noon, the Senate will vote on a cloture motion for the nomination of Stephen M. Dickson to be Administrator of the Federal Aviation Administration. I rise in strong support of that motion. I think it will pass today. I will be supporting the nomination when it comes to a full vote on the floor of the Senate sometime later.

As chair of the Committee on Commerce, Science, and Transportation, let me report that we recently voted to report Mr. Dickson's nomination favorably out of the committee. I hope the Senate will soon confirm this highly qualified nominee. Steve Dickson was chosen for this important position based on his strong qualifications, which include almost 40 years of combined service in the U.S. Air Force and the commercial air transportation sector.

Mr. Dickson is a 1979 distinguished graduate of the Air Force Academy and graduated magna cum laude from Georgia State University College of Law in 1999, where he earned his J.D. He served in the U.S. Air Force as an F-15 fighter pilot, including assignments as a flight commander, instructor pilot, and flight examiner. From 1991 until October of 2018, Mr. Dickson was employed by Delta Air Lines as a pilot and management executive. He retired after rising through the ranks to become Delta's senior vice president of flight operations.

On May 15, the committee held a hearing to consider Mr. Dickson's nomination, and he clearly demonstrated the experience and leadership abilities necessary to lead the FAA. I don't know if there was a single member of the committee who failed to be impressed.

After Mr. Dickson's hearing, new information came to the committee's at-

tention, which we gave due diligence to looking into. The information involved employees reporting possible safety violations at Mr. Dickson's former employer while he was serving as senior vice president. These matters merited further examination. The committee conducted an extensive review of these allegations, including multiple followup conversations and meetings with Mr. Dickson. We have studied hundreds of pages of legal documents.

Here is what we know for a fact about these allegations. We know for a fact—and it is uncontroverted—that Mr. Dickson was not a named party in any of these matters. We also know for a fact that he was not personally alleged to have retaliated against any of his fellow employees who raised the safety concerns.

Mr. Dickson's responses to post-hearing questions for the record demonstrate that he has commitments to safety and to the protection of employees who report concerns and that that is paramount, in his view. In fact, Mr. Dickson unequivocally stated in his written responses that he was never named as a party to any judicial, administrative, or regulatory proceedings and was never accused of retaliation of any sort during his tenure at his former employer.

I think the FAA, we all agree, should be the gold standard in aviation safety. I think Steve Dickson is the correct person to be confirmed and sit at the helm of the FAA at this crucial time for the agency. The majority of the committee believes that Mr. Dickson is an excellent nominee for this position and will bring the commitment, experience, and expertise necessary to lead the FAA and fulfill its mission. I am going to be urging my colleagues to vote yes on the cloture motion and then to swiftly confirm Mr. Dickson's nomination.

I yield the floor.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. INHOFE. Mr. President, I ask unanimous consent that I complete my remarks before we move to the vote to confirm our next Secretary of Defense.

The PRESIDING OFFICER. Without objection, it is so ordered.

NOMINATION OF MARK T. ESPER

Mr. INHOFE. Mr. President, we are in a great position that we are not very often in. We have someone who is enthusiastically supported by Republicans, by Democrats, and he is obviously the right person. He has the trust of our President, he has the trust of our military, and he has the trust of Congress and the country to keep our Nation safe.

Dr. Mark Esper is the right man for the job. He is a great choice to lead the Pentagon, and I am proud to support him. And I am not the only one. In fact, I would like to take a moment to share some of the bipartisan support we have for Dr. Esper from the defense experts, former officials, and my own colleagues.

Senator Kaine from Virginia said this at Dr. Esper's confirmation hearing:

He is a person of sound character and moral courage. He's been proactive and transparent . . . trademarks of exceptional leadership.

Secretary Mattis—you remember him—when Dr. Esper was being sworn in as the Secretary of the Army, then-Secretary of Defense Mattis said:

The bottom line is the virtuous and vile alike have written history, but let's remember here today that we're the good guys . . . and this is the man who can take us forward.

Mark Jacobson, a senior adviser to Ash Carter, said:

This is someone who can work across the aisle. This is somebody who can work with Congress. And that's really what defines him. A soldier, a scholar.

The Senate majority leader, MITCH MCCONNELL, said:

Anybody impartial would have to have come away impressed by Dr. Esper's mastery, intelligence, and thoroughness.

My colleagues in the Armed Services Committee also widely support Dr. Esper's nomination, advancing his nomination with an overwhelming bipartisan vote.

Across the Capitol, both the chairman and ranking member of the House Armed Services Committee support Dr. Esper. They all support him. Chairman ADAM SMITH said that Dr. Esper is "capable of executing the National Defense Strategy in a way that is insulated from outside influence and political considerations. . . . The Department would benefit from his leadership." That is my counterpart over in the House.

Ranking Member MAC THORNBERRY said he has "done an outstanding job as Secretary of the Army." I agree with Congressman THORNBERRY.

Under Dr. Esper's leadership, we saw Army modernization leap forward by leaps and bounds. He managed the largest reorganization of the Army in 45 years, prioritizing research, development, and innovation. He showed accountability to the taxpayers by being responsible with his budget, making tough decisions, tough choices, streamlining legacy programs, and directing defense dollars to critical future needs.

It is impressive, but being a good Army Secretary isn't enough on its own. Secretary Mattis reminded us that civilian leaders in our military must be more than their past accomplishments. Mark Esper is more because he truly respects and honors his commitment to the men and women in uniform. I have seen this firsthand.

Back in April, I asked Dr. Esper to join me on a visit to Fort Sill in my State of Oklahoma. What impressed me was how well he communicated with the troops in the field. He is one of the troops out there, and you could see the love that he had for them. In Fort Sill, he even joined them—and I was there—for an Army combat fitness test workout. He participated with the troops. He ate the MREs out in the field. Anyone who has been in the Army can tell

you that you don't often find people who choose to do that, but Mark Esper did.

Dr. Esper deeply cares about the troops, whether it is making sure that they have the weapons, equipment, and training they need to succeed in their missions or simply that they have quality housing when they are on base.

We moved quickly to consider Dr. Esper's nomination here on the floor, but that isn't because we didn't fulfill our duty of advice and consent. We did. Dr. Esper testified for over 3 hours. Between his hearing and his followup questions for the record, he answered approximately 600 questions. It is clear that Dr. Esper has what it takes to lead the Department of Defense and that most of my colleagues think so as well.

He has served the Nation with honor and integrity, and I am certain that he is going to continue to do so when he is confirmed.

I strongly request a strong vote to confirm Dr. Mark Esper to be our next Secretary of Defense.

With that, I yield the floor.

## EXECUTIVE SESSION

### EXECUTIVE CALENDAR

The PRESIDING OFFICER (Mr. CRUZ). Under the previous order, the Senate will proceed to executive session and resume consideration of the following nomination, which the clerk will report.

The bill clerk read the nomination of Mark T. Esper, of Virginia, to be Secretary of Defense.

#### VOTE ON ESPER NOMINATION

The PRESIDING OFFICER. Under the previous order, the question is, Will the Senate advise and consent to the Esper nomination?

Mr. WICKER. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The bill clerk called the roll.

Mr. THUNE. The following Senator is necessarily absent: the Senator from Georgia (Mr. ISAKSON).

Further, if present and voting, the Senator from Georgia (Mr. ISAKSON) would have voted "yea".

Mr. DURBIN. I announce that the Senator from Vermont (Mr. SANDERS) is necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 90, nays 8, as follows:

[Rollcall Vote No. 220 Ex.]

#### YEAS—90

Alexander	Blackburn	Braun
Baldwin	Blumenthal	Brown
Barrasso	Blunt	Burr
Bennet	Boozman	Cantwell

Capito	Hirono	Roberts
Cardin	Hoeven	Romney
Carper	Hyde-Smith	Rosen
Casey	Inhofe	Rounds
Cassidy	Johnson	Rubio
Collins	Jones	Sasse
Coons	Kaine	Schatz
Cornyn	Kennedy	Schumer
Cortez Masto	King	Scott (FL)
Cotton	Lankford	Scott (SC)
Cramer	Leahy	Shaheen
Crapo	Lee	Shelby
Cruz	Manchin	Sinema
Daines	McConnell	Smith
Duckworth	McSally	Stabenow
Durbin	Menendez	Sullivan
Enzi	Moran	Tester
Ernst	Murkowski	Thune
Feinstein	Murphy	Tillis
Fischer	Murray	Toomey
Gardner	Paul	Udall
Graham	Perdue	Van Hollen
Grassley	Peters	Warner
Hassan	Portman	Whitehouse
Hawley	Reed	Wicker
Heinrich	Risch	Young

#### NAYS—8

Booker	Klobuchar	Warren
Gillibrand	Markey	Wyden
Harris	Merkley	

#### NOT VOTING—2

Isakson	Sanders
---------	---------

The nomination was confirmed.

The PRESIDING OFFICER. Under the previous order, the motion to reconsider is considered made and laid upon the table.

The President will be immediately notified of the Senate's action.

### CLOTURE MOTION

The PRESIDING OFFICER. Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The senior assistant legislative clerk read as follows:

#### CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on nomination of Stephen M. Dickson, of Georgia, to be Administrator of the Federal Aviation Administration for the term of five years.

James M. Inhofe, John Hoeven, Mike Rounds, Joni Ernst, Kevin Cramer, Pat Roberts, John Boozman, Mike Crapo, Steve Daines, John Cornyn, James E. Risch, Roger F. Wicker, Richard Burr, Thom Tillis, Roy Blunt, Shelley Moore Capito, Mitch McConnell.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the nomination of Stephen M. Dickson, of Georgia, to be Administrator of the Federal Aviation Administration for the term of five years, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. THUNE. The following Senator is necessarily absent: the Senator from Georgia (Mr. ISAKSON).

Further, if present and voting, the Senator from Georgia (Mr. ISAKSON) would have voted "yea."

Mr. DURBIN. I announce that the Senator from Vermont (Mr. SANDERS)

and the Senator from Rhode Island (Mr. WHITEHOUSE) are necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 52, nays 45, as follows:

[Rollcall Vote No. 221 Ex.]

#### YEAS—52

Alexander	Fischer	Portman
Barrasso	Gardner	Risch
Blackburn	Graham	Roberts
Blunt	Grassley	Romney
Boozman	Hawley	Rounds
Braun	Hoeven	Rubio
Burr	Hyde-Smith	Sasse
Capito	Inhofe	Scott (FL)
Cassidy	Johnson	Scott (SC)
Collins	Kennedy	Shelby
Cornyn	Lankford	Sullivan
Cotton	Lee	Thune
Cramer	McConnell	Tillis
Crapo	McSally	Toomey
Cruz	Moran	Wicker
Daines	Murkowski	Young
Enzi	Paul	
Ernst	Perdue	

#### NAYS—45

Baldwin	Harris	Peters
Bennet	Hassan	Reed
Blumenthal	Heinrich	Rosen
Booker	Hirono	Schatz
Brown	Jones	Schumer
Cantwell	Kaine	Shaheen
Cardin	King	Sinema
Carper	Klobuchar	Smith
Casey	Leahy	Stabenow
Coons	Manchin	Tester
Cortez Masto	Markey	Udall
Duckworth	Menendez	Van Hollen
Durbin	Merkley	Warner
Feinstein	Murphy	Warren
Gillibrand	Murray	Wyden

#### NOT VOTING—3

Isakson	Sanders	Whitehouse
---------	---------	------------

The PRESIDING OFFICER. On this vote, the yeas are 52, the nays are 45.

The motion is agreed to.

### EXECUTIVE CALENDAR

The PRESIDING OFFICER. The clerk will report the nomination.

The senior assistant legislative clerk read the nomination of Stephen M. Dickson, of Georgia, to be Administrator of the Federal Aviation Administration for the term of five years.

### LEGISLATIVE SESSION

The PRESIDING OFFICER. Under the previous order, the Senate will resume legislative session.

The Senator from Maine.

### RECESS

Ms. COLLINS. Mr. President, I ask unanimous consent that the Senate stand in recess until 2 p.m. for the weekly conference meetings.

There being no objection, the Senate, at 1:04 p.m., recessed until 2 p.m. and reassembled when called to order by the Presiding Officer (Mrs. CAPITO).

NEVER FORGET THE HEROES: JAMES ZADROGA, RAY PFEIFER, AND LUIS ALVAREZ PERMANENT AUTHORIZATION OF THE SEPTEMBER 11TH VICTIM COMPENSATION FUND ACT—Continued

The PRESIDING OFFICER. The Senator from Colorado is recognized.

Mr. GARDNER. Madam President, this afternoon the Senate will vote on permanent reauthorization of the September 11th Victim Compensation Fund. I am proud to lead this legislation with Senator GILLIBRAND, and I thank all of the incredible first responders for their efforts to make this day happen and, day in and day out, to get this legislation to where it is today.

This critical legislation would fully fund the September 11th Victim Compensation Fund and ensure that all those exposed to toxins and impacted by 9/11-related illnesses are thoroughly compensated, both now and as conditions are diagnosed in the future.

Solving this problem is urgent as more and more people become sick—people like Luis Alvarez, who came to Washington, DC, just a few months ago, postponing chemotherapy treatment to advocate for his fellow heroes. Luis is not here to watch from the Gallery today. He is watching from above.

As we celebrate this vote today, we celebrate the lives of people like Luis Alvarez.

The Never Forget the Heroes: James Zadroga, Ray Pfeifer, and Luis Alvarez Permanent Authorization of the September 11th Victim Compensation Fund Act is named in honor of these three first responders who lost their lives to 9/11-related illnesses. Today, the Senate has an opportunity to honor these three and so many others we have lost who never stopped fighting for 9/11 first responders and the country they loved by voting yes on this critical legislation.

I have shared with many of my colleagues that I never had the privilege of going to New York City before September 11, 2001, but I will never forget my first visit after September 11, 2001. It was just a few weeks after the attack had happened. I will never forget the smell. I will never forget the smoke coming out of the debris piles. I will never forget the silent firetrucks—their lights on but no siren—as they delivered even more heroes to the recovery efforts at Ground Zero. I will never forget the fierce dedication of the men and women who came when they were called, watching the firetrucks with their flags heading to continue the work that by then had become so emblazoned in people's minds across this country.

The work they did in those days, those weeks, and those months wasn't just for those in Manhattan who suffered an incredible loss. The work they carried forward for our country became symbols of our security, symbols of our freedoms, symbols of this country's willingness, determination, effort, and tenacity to fight back.

Law enforcement officers and firefighters from across the Nation, including the West Metro Fire Rescue in Colorado, home of Colorado Task Force 1, have been tireless advocates for this effort. Every State has people who served in one capacity or another during the rescue and recovery operations of September 11.

West Metro Fire District chief Steve Aseltine was one of 64 Coloradans with Colorado Task Force 1 who participated, as he said, searching through the rubble piles. Steve said: No one should be at risk of standing up and worrying, when this country needs them the most, whether the American Government has their back.

If passed today, without amendments, the legislation will head straight to the President's desk for his signature. So I urge my colleagues today not to forget, to pass a clean bill, and to join me in opposing both amendments, and to stand with all of our first responders and heroes from that tragic day for this bill's final passage and ultimate enactment.

I urge this Chamber to support those who have given so much to this country.

I yield the floor.

The PRESIDING OFFICER. The Senator from Kentucky.

Mr. PAUL. Madam President, today I will offer an amendment to pay for the spending in this bill. This is not something unusual. I do this day in and day out. It has been part of the reason I ran for office—that we shouldn't add more debt to our country without trying to pay for it by maybe reducing spending from wasteful spending.

In the last week or so, we have seen a manufactured crisis. Rarely has there been a manufactured crisis so intense—a fake furor instigated by partisans more concerned with scoring points than telling the truth. But, for some of us, the truth is still important.

The mob and demagogues in this body accuse me of holding up this bill for political points. They obviously don't know much about politics, because there certainly hasn't been any political gain by my holding this bill for debate and amendment. But I think it is important we do this, rather than rush through and everybody says: No questions asked, please. It sounds a little more like an authoritarian atmosphere than it would be a democracy, to actually have debate, discussion, and amendments. That is all we have asked for.

In fact, last week when we were granted the amendments, we said to the other side: Let's have the vote—last week. And all of those who were in such a furor, all those who were so hysterical that the world was ending said: Oh, we cannot vote on it—it was not convenient last week—because some of our Democrat Members have already gone home for the weekend. So when the mob was told last week they could have the vote, they said no. It is a manufactured crisis. As of today, the

fund in question has \$2 billion in it, and no one is being denied medical care.

So let's have an honest debate. Let's have an honest debate about whether it matters to this country whether we are \$2 billion in debt, and whether or not, when we have new spending programs—no matter how charitable, no matter how needed—whether or not we are going to pay for them by reducing spending in wasteful programs.

It is perhaps a historical anomaly that this bill appropriates unlimited funds for a virtually unlimited time period.

What would you think if someone came to you, they had a good cause, and they said: You know, my neighbors' house has burnt down, and I want to help them, and I want to give them unlimited money for an unlimited period of time?

That wouldn't be wise. No one would do that. So why do we, in our hysteria, throw out all common sense and say that we are going to approach this as if we don't have a problem?

We have this enormous problem in our country. We are borrowing over \$1 million a minute. My amendment today is to offer to pay for the \$10 billion in the first 10 years. Realize that this bill as written is not a 10-year bill. It is a 72-year bill. It goes to the year 2092. To my knowledge, we have never, ever had a bill that was unlimited in the dollar amount and unlimited in the time period. Mine would be to pay for the first 10 years of this. The pay would come by reducing mandatory spending by 0.06 percent. That is 6/100th of 1 percent of other mandatory spending.

At the same time, we would exempt Medicare, Social Security, and Veterans Affairs from cuts. We would exempt the vast bulk of mandatory spending, but we would still say: If this is a wise expenditure of money, if we need more money for this fund, we would simply take it from something that is less pressing.

No matter how good a cause may be, it makes no sense to borrow from China to pay for our immediate concerns. Spending someone else's money is not charity. Spending borrowed money is just not wise or sound governance.

Being a legislator should be about making choices, about deciding priorities.

For example, which is more important—spending \$275 million teaching foreign countries how to apply for U.S. foreign aid and teaching foreign countries how to get our money and how to fill out the grant process? Is that more important than the spending in this bill? We will never know because the people who promote this bill aren't willing to cut any spending. They are not going to look at waste.

We wonder why we have waste run from top to bottom in our government? Because no one is willing, even for a good cause, to say: Why don't we cut out some of this waste? Why don't we

quit spending money teaching foreigners how to apply to get more of our money?

To pay for more pressing concerns, shouldn't someone ask whether it is wise to spend \$300,000 studying whether Japanese quail are more sexually promiscuous on cocaine? That is your money. So when somebody is being asked for a good cause, ask why we couldn't eliminate money we are spending on awful things that should never have been wasted in the Federal Government.

To pay for more pressing concerns, shouldn't someone ask why we continue to spend \$50 billion a year building bridges and roads and hotels and gas stations in Afghanistan? Perhaps that money could be better spent here at home.

The debate today is not over the spending of the money. It is over, when we do spend money—even for a good cause—whether or not we should cut corresponding money that we are wasting around the world, much of it not helping American citizens and much of it going to foreign countries and foreign people.

To pay for more pressing concerns, shouldn't someone ask why we had a study last year that spent \$2 million seeking to know the question: If someone in front of you in the cafeteria line sneezes on the food, are you more or less likely to pick up the food and eat it?

Seriously, this is where your tax dollars are going. If we have a better cause, and we want to fund this fund we are talking about today, couldn't we say we will not spend \$2 million next year studying whether, if someone sneezes on your food, you are more or less likely to take the food?

Shouldn't we be forced as a Congress to make decisions, instead of just saying: Well, it is a good cause. So, therefore, we should not use our brain. We should put on blinders. We shouldn't think about it, and we should just say: Well, it is a good cause so let's just borrow the money from China.

Do you think that helps us as a country? Isn't part of legislating trying to prioritize spending, not just adding to the debt?

The leftwing mob maintains that Republicans have lost the moral high ground and can't talk about debt anymore because we supported a tax cut. Poppycock. This is misinformation. This is fake news. This is plainly people just not paying any attention to what goes on around here.

During the tax cut, which I supported, I offered cuts to mandatory spending to pay for the tax cut. The media seems to have forgotten this. But I forced a vote on the floor to say: Yes, we may be cutting taxes and, if it affects the deficit, we should pay for it.

Interestingly, though, the leftwing mob doesn't want to admit that when we actually cut tax rates, we actually got more money. The revenue coming in last year was actually greater than

the previous year. The tax cut didn't add to the deficit. The deficit went up because we continue to spend money and we actually added more spending. The curve of spending increases actually rose faster than the revenue coming in.

When the tax cut happened, I offered an amendment to cut spending to pay for it. This is a fact. The leftwing mob and all of their buddies in the media can do and say whatever they want. It is a free country, but it is an absolute out-and-out lie that Republicans who voted for this tax cut also were not concerned with spending. I, for one was, and I offered an amendment to cut spending.

The tax cut also was passed under a law we have had on the books for some time. It is called the pay-go law. This is a law that should be working even on a bill like this current bill. But we exempt ourselves from it all the time. The current bill actually exempts the pay-go rules: If you increase spending by \$10 billion, you have to decrease it by \$10 billion somewhere else.

It has been on the books for a long time, but like everything else Congress does, they try to bring in rules to say: Do you know what? We are going to try to control the debt and spending by forcing ourselves, when we come up with some new spending of \$10 billion, that we will have to come up with something to cut to pay for it.

What happens is, Congress just waives the rules. It is not that we don't have rules that should help with the budget; we have hundreds of rules. The pay-go rule is a good rule, but it gets ignored. We passed the tax cut. If the projections were that the deficit was going to go up, guess what, the pay-go rules would say there has to be automatic spending cuts across the board. This is something I support.

So what happened? About a month after the tax cut, a big spending bill comes through here. Both parties are guilty, Republicans and Democrats. They love to spend money more than anything else. A big spending bill comes through, and guess what. They waive the rule on pay-go.

At that time, I also brought up an amendment that said: Hey, you guys shouldn't waive the pay-go rule. If the tax cut causes the debt to go up, we should cut spending across board.

Let's be very clear around here. There are those of us who have been consistent from day one that the debt does matter. There is no particular animus toward this bill. In the last year, I have done this probably a half dozen times. In the last 2 years, I have probably done it two dozen times. That means every spending bill.

A month ago, it was spending for the border. I support money to be spent on the border, but I don't support doing it if it adds to the deficit.

The amendment I have today is identical to the amendment I had a month ago, saying: Border spending, even if you want to do it, we should cut money

from somewhere else where it is not as much needed and where it is being wasted.

I did it 3 months ago for the hurricane disaster relief. Every bit of new spending—it doesn't matter whether it is a good cause, bad cause, or an in-between cause, we need to not keep adding to the debt. This is a problem. We borrow over \$1 million—close to \$2 million every minute. This is a problem for our country. We are eroding the foundation of this country with so much debt—\$22 trillion in debt.

The tax cut was passed under the pay-go rules. I voted not to suspend the pay-go rules. I voted to actually have spending cuts to offset any increase in the deficit from the tax cut.

The establishment of both parties moved to waive this pay-go requirement. I forced a vote, and only eight Senators voted, which shows you where the real problem is. Why does the deficit go up so much? There is not one Democrat in Congress who cares a flip about the deficit. Not one Democrat in Congress will lift a finger to refrain from government spending. Therefore, everything—you name it, they are for it.

The problem is, Republicans aren't so good on this either. There are only a handful of Republicans who actually care about the debt, and many of them will vote consistently to raise the debt limit and vote to add new debt.

Today's vote, though, is but a prelude of next week's vote. This is the preliminary. This is the introduction to our problem in our country, over \$10 billion. Next week, it is the enormity of the entire budget. Next week, both parties—and watch this closely. People say: Oh, Republicans can't get along with Democrats. Guess what. They get along just swell when it comes to spending money and adding to the debt.

This bill will pass overwhelmingly today without any concern for the debt or paying for it. Next week will be even worse. We have something called the debt ceiling. Every time we spend more money that comes in, in taxes, it approaches a debt ceiling, and the debt ceiling says you can't borrow any more money. So conservatives say: Well, we should reform our ways and quit giving away money to Afghanistan and Mexico and all these different countries. We should have reform involved with raising the debt ceiling.

What is going to come about next week is no debt ceiling for 2 years, until after the next Presidential election. It is a terrible idea. It is fiscal insanity. They also will vote to forever get rid of the sequester caps.

In 2011, amongst the tea party movement, when more people became concerned about the deficit spending, we actually came in and had a reform. For the first time, we didn't cut spending; we slowed down the rate of growth of spending. In doing so, the deficit was narrowing. For a couple of years, we were doing better. Then what happened

was basically both parties once again came together. The Republicans said: We want to be in every war overseas we can possibly get involved in, and we want to have more money spent on the military.

The liberals said: We need more money for welfare.

Guess what. They are not at odds. You scratch my back; I will scratch yours.

The Republicans and Democrats agree on one thing: Spending money is the most important thing they can do. The deficit doesn't matter.

So when we come back, when we address this issue next week, what we are going to find is they are going to explode the debt ceiling. There will be no limits on the debt ceiling for 2 years, and they are getting rid of all pretense of having any spending caps.

A majority of Republicans, unfortunately, will even vote to get rid of the budget caps and to eliminate the debt ceiling for 2 years. This is sad.

Today, though, the Senate has a chance to vote to pay for this \$10 billion bill with very modest reductions in mandatory spending—reductions that actually exempt Medicare, Social Security, and Veterans Affairs.

Americans, particularly conservatives, need to sit up and watch closely how their Senators vote, for today's vote is about whether your representative really cares at all about the disaster that is our \$22 trillion debt.

#### AMENDMENT NO. 929

Madam President, I call up my amendment No. 929 and ask that it be reported by number.

The PRESIDING OFFICER. The clerk will report the amendment.

The senior assistant legislative clerk read as follows:

The Senator from Kentucky [Mr. PAUL] proposes an amendment numbered 929.

The amendment is as follows:

(Purpose: To require a sequestration of certain direct spending)

At the end, add the following:

#### SEC. 5. SEQUESTRATION.

(1) DEFINITIONS.—In this section—  
(a) the terms “direct spending” and “sequestration” have the meanings given such terms in section 250(c) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 900(c)); and

(2) the term “nonexempt direct spending” means all direct spending except—

(A) direct spending for benefits payable under the old-age, survivors, and disability insurance program established under title II of the Social Security Act (42 U.S.C. 401 et seq.);

(B) direct spending for the Medicare program under title XVIII of the Social Security Act (42 U.S.C. 1395 et seq.);

(C) direct spending for net interest (all of major functional category 900);

(D) direct spending for any program administered by the Department of Veterans Affairs;

(E) direct spending for Special Benefits for Certain World War II Veterans (28-0401-0-1-701); and

(F) direct spending for the child nutrition program (as defined in section 25(b) of the Richard B. Russell National School Lunch Act (42 U.S.C. 1769f(b)).

#### (b) SEQUESTRATION ORDERS.—

(1) IN GENERAL.—For fiscal year 2020, as soon as is practicable after the date of enactment of this Act, and on the dates the Office of Management and Budget issues its sequestration preview reports for each of fiscal years 2021 through 2025, pursuant to section 254(c) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 904(c)), the President shall order a sequestration, effective upon issuance, that reduces all non-exempt direct spending by the uniform percentage necessary to reduce the total amount of nonexempt direct spending for such fiscal year by \$2,036,000,000.

(2) IMPLEMENTATION.—When implementing the sequestration of nonexempt direct spending under paragraph (1), the Office of Management and Budget—

(A) shall follow the procedures specified in section 6 of the Statutory Pay-As-You-Go Act of 2010 (2 U.S.C. 935) and the special rules specified in section 256 of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 906); and

(B) shall not follow the exemptions specified in section 255 of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 905).

The PRESIDING OFFICER. The Democratic leader.

Mr. SCHUMER. Madam President, I am speaking on the bill as well as the amendments. In a short time, the Senate will vote on and pass a permanent reauthorization of the 9/11 Victim Compensation Fund.

In my short time on the floor, I can't do justice to the years upon years of work by the first responders, by labor leaders, by advocates that led to this moment. Suffice it to say, this is not a day of joy for them or for this bill's authors; rather, it is a day of relief.

For 18 years, those first responders, some of whom are in the Gallery, have watched their brothers and sisters get sick because they rushed bravely to the Towers at Ground Zero. At first, they were told by the government the air was safe.

It was not safe. We began hearing of cancers that people never got when they were 38 or 40 or 42 occurring all of a sudden in firefighters, in police officers, and they only had one thing in common: They had all rushed to the Towers.

They had to persuade people this was real because they saw their brothers and sisters dying. Then, they endured folks telling them they were crazy for thinking they had sicknesses they suffered that had anything to do with 9/11.

They were not crazy, and the people who told them they were, shame on them, including government agencies and others. Then, once it was confirmed beyond a shadow of a doubt that these cancers and respiratory illnesses were linked to the toxic dust and ash around the pile, it became an exhausting struggle to get Congress to provide the care they needed but they couldn't afford.

There were numerous false dawns and delays, temporary reauthorizations. We were forced to wait and wait, “compromise” with people's lives. Excuse after excuse. Some Senators voted proudly for tax cuts, unpaid for, to the

wealthiest of Americans but demanded offsets for these folks who had served us, like our soldiers have served us, like our armed services.

Thank God those excuses, those delays end today for good, and our first responders can go home and do what they want to do—tend to their own health, their families' health, the health of their brothers and sisters who were suffering and ailing, and tend to the families who have lost loved ones but are still part of their families.

The 9/11 health program is already permanent. Soon we will make the Victim Compensation Fund virtually permanent as well, and the twilight struggle of nearly two decades to get these brave men and women what they deserve will be, hopefully and finally, complete.

Once we defeat the few amendments before us—amendments that will delay the bill further, if not kill it—we should pass this bill overwhelmingly so we can send the first responders—those here and everywhere—home where they belong, with their family and their friends.

These are the same soldiers of valor who have selflessly risked their lives in our wars and conflicts overseas. There was a war right in the city I love, and these were our bravest soldiers. They rushed to the Towers. Maybe some people were alive. Maybe there were people who could be saved. We didn't know that then. We saw families holding signs: Have you seen my sister Mary? Have you seen my son Jim? These people rushed to the Towers to see if the Jim or Mary or the others were alive and didn't ask about themselves.

Now we are asking America to stand by them, every American, every Senator—Democrat, Republican, liberal, conservative—that shouldn't matter on an issue like this.

We are now at the very end of a long struggle. The struggle may end for the people in this Chamber, including those of us, like Senator GILLIBRAND and myself, who worked so hard through the years for this legislation. The struggle does not end for those who are sick or who may get sick and for their families. At least we are giving them some degree of help because they gave us so much help on that horrible day, 9/11, and those that ensued just afterward.

Let's pass this bill once and for all. Let's do our duty to them, to America, and to our ideals.

I yield the floor.

The PRESIDING OFFICER. The Senator from New York.

Mrs. GILLIBRAND. Madam President, I rise to join my colleagues in speaking about our 9/11 heroes. I thank Senator SCHUMER for his extraordinary leadership, his unwavering support, his dedication to taking this across the finish line, and his unbelievable willingness to lift up the voices of people who were not being listened to. Thank you to Senator SCHUMER.

I want to first note that while we are debating this bill, there is a wake happening on Staten Island right now for



Detective Christopher Cranston. A father of 5, he was only 48 years old, but he will be buried on Thursday because of the months of work he did on the pile at Ground Zero at Fresh Kills Landfill. He spent his 20th anniversary just a few weeks ago in chemotherapy.

The eyes of the Nation are looking at this Chamber today to see if we finally will stand by our 9/11 heroes for the rest of their lives. In a few minutes, heroes such as James Zadroga, Ray Pfeifer, and Lou Alvarez will have their names etched into the history books forever, which is where they belong.

Their families are in the Gallery today—here again, walking the halls of this Chamber and this Congress to be heard, here again to ask one more time that this body do what is right: to stand by them in their gravest time of need. Their families are here today to watch whether this Chamber will do what is right. They are standing here with so many others in the 9/11 community who have fought so hard to demand that Congress do the right thing.

Let's honor their service today. Let's actually honor their commitment to coming here time and time again, not for themselves but for their brothers and sisters who are sick, who are still dying all across this country. Seven are dying a week. Let's honor the ultimate sacrifice they paid for responding to the call of duty when the Nation needed them most. Responders came from every State across this country.

Last week, we lost Richard Driscoll, the 200th FDNY firefighter to succumb to a 9/11 illness. More police officers have died since 9/11 than on 9/11. More than 10,000 people have been certified with a 9/11-related cancer, with more being diagnosed every day. More will get sick. More will die. Some of them will not be diagnosed for years. That includes responders, and it includes the residents, teachers, and students who stayed downtown because the government told them the air was safe. They told them it was safe to breathe, even though it was not.

This bill will not change any of that, but we can finally let the people in the Gallery, who are sitting here watching us today and witnessing this, go home knowing that the government will truly never forget. We owe them that promise. Today, we have the opportunity to let them get back to their lives, to be with their families, and to exhale. They at least deserve that.

I thank Senator GARDNER for his leadership on this bill. I thank Senator MCCONNELL for staying true to his commitment. As I said earlier, I thank Senator SCHUMER for being a tremendous advocate, leader, and partner who never, ever, gave up. And I thank every single person who has spent their time and energy coming here again and again over these many years to advocate for this bill and for their brothers and sisters.

I ask every Senator to have empathy—just that bit of care for someone else—to vote yes on this bill and stand

by our first responders. I also urge every colleague of mine to reject the amendments that are being put forward.

First is the amendment from my colleague from Utah. Unfortunately, this amendment would accomplish only one thing. It would make these first responders have to go through this entire process again in just a few years. It would force sick and dying police officers, firefighters, and other 9/11 first responders to waste even more of their precious time coming here, away from their families, away from their loved ones, away from their cancer treatments, away from their last moments in their homes and communities, traveling back and forth to Washington and lobbying Congress to pass the bill for the fourth time. Do not fall into this trap.

Our 9/11 heroes deserve this program as it is written in the bill, without these amendments, which will only force them to have to come back here again and again. Stand up for our heroes. End the games. Let's reject this amendment, pass the bill, and let our heroes go home and live in peace, where they can breathe and finally exhale.

I yield the floor to my colleague from Utah.

The PRESIDING OFFICER. All time is expired.

The Senator from Utah.

Mr. LEE. Madam President, I ask unanimous consent to deliver my remarks and delay the onset of the votes until after my remarks have been completed.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LEE. Madam President, for many years, the September 11th Victim Compensation Fund has compensated the brave men and women who responded to the horrific events of 9/11. It has been a worthy use of money.

Of the \$7.4 billion authorized for the fund since 2011, however, \$25.4 billion has already been paid out. Since February of this year, money has gotten tight and claimants' benefits have had to be reduced. I believe it is only right for Congress to authorize and replenish the fund so that we can make those beneficiaries whole.

But the bill before us today has a peculiar feature, one that I believe requires our attention. The bill authorizes the program for 72 years and does not specify a dollar amount. If you look to page 2 of the bill, lines 8 through 10, it makes clear that this program is funded through 2092 and funded to the tune of "such sums as may be necessary." In other words, without any finite authorization, it offers no way to ensure that the money actually gets to its intended beneficiaries and is not lost in government bureaucracy or misuse.

That is, in fact, how we make sure that government programs get to where they need to go, by specifying not only the purpose of the fund but

also identifying how much it is that we are spending.

In 2011, the 9/11 Victim Compensation Fund has always had finite authorizations, and it has always had an absolutely excellent, outstanding record of avoiding waste, fraud, and abuse. The 9/11 survivors and responders deserve no less going forward.

That is why I am offering a simple amendment to this bill, one that would authorize \$10.2 billion in additional funding for the 9/11 Victim Compensation Fund over the next 10 years. To be clear, that is the full amount that the Congressional Budget Office has estimated is necessary for covering all claims through 2029.

My amendment wouldn't end there. It would go further to authorize an additional \$10 billion to be paid out in subsequent decades. It will not block or delay this bill's consideration, let alone its passage, nor does it have as its intended effect any kind of downgrading of the benefits we would be paying. But it would make sure that the money gets to the victims and the first responders who need it most—to the intended beneficiaries—rather than remaining vulnerable to the kinds of waste, fraud, and abuse that come about whenever we authorize something until 2092 with "such sums" language. This isn't the way we normally do things.

My distinguished colleague and friend from New York has made the comment that if this amendment were to pass, it would somehow make the victims of 9/11 come back again and again and go through this process over and over again. I don't see that. Those facts are not borne out by the record, which, again, indicates that the Congressional Budget Office itself has acknowledged that the amount of money I would be setting aside would be sufficient to fund this program.

This is how we make government programs work: We fund things for a period of time and for an amount of money that we believe is sufficient. This would do that. For that reason, I am proposing this amendment.

AMENDMENT NO. 928

I, therefore, call up my amendment No. 928 and ask that it be reported by number.

The PRESIDING OFFICER. The clerk will report the amendment.

The senior assistant legislative clerk read as follows:

The Senator from Utah [Mr. LEE] proposes an amendment numbered 928.

The amendment is as follows:

(Purpose: To limit the amount available for the Victims Compensation Fund)

Strike paragraph (1) of section 2(a) and insert the following:

(1) in subsection (c), by striking "\$4,600,000,000" and all that follows through "expended" and inserting "\$10,180,000,000 for the period of fiscal years 2019 through 2029, and \$10,000,000,000 for the period of fiscal years 2030 through 2092, to remain available until expended"; and

VOTE ON AMENDMENT NO. 928

The PRESIDING OFFICER. Under the previous order, the question is on



agreeing to the underlying amendment No. 928.

Mr. LEE. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. THUNE. The following Senators are necessarily absent: the Senator from North Carolina (Mr. BURR) and the Senator from Georgia (Mr. ISAKSON).

The PRESIDING OFFICER (Mrs. BLACKBURN). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 32, nays 66, as follows:

[Rollcall Vote No. 222 Leg.]

#### YEAS—32

Barrasso	Hyde-Smith	Rubio
Blackburn	Inhofe	Sasse
Blunt	Johnson	Scott (FL)
Braun	Kennedy	Scott (SC)
Cassidy	Lankford	Shelby
Crapo	Lee	Sullivan
Cruz	Paul	Tillis
Daines	Perdue	Toomey
Enzi	Risch	Wicker
Fischer	Romney	Young
Grassley	Rounds	

#### NAYS—66

Alexander	Gardner	Murphy
Baldwin	Gillibrand	Murray
Bennet	Graham	Peters
Blumenthal	Harris	Portman
Booker	Hassan	Reed
Boozman	Hawley	Roberts
Brown	Heinrich	Rosen
Cantwell	Hirono	Sanders
Capito	Hoeven	Schatz
Cardin	Jones	Schumer
Carper	Kaine	Shaheen
Casey	King	Sinema
Collins	Klobuchar	Smith
Coons	Leahy	Stabenow
Cornyn	Manchin	Tester
Cortez Masto	Markey	Thune
Cotton	McConnell	Udall
Cramer	McSally	Van Hollen
Duckworth	Menendez	Warner
Durbin	Merkley	Warren
Ernst	Moran	Whitehouse
Feinstein	Murkowski	Wyden

#### NOT VOTING—2

Burr Isakson

The PRESIDING OFFICER. On this vote, the yeas are 32 and the nays are 66.

Under the previous order requiring 60 votes for the adoption of the amendment, the amendment is not agreed to.

The amendment (No. 928) was rejected.

#### VOTE ON AMENDMENT NO. 929

The PRESIDING OFFICER. Under the previous order, the question occurs on amendment No. 929 offered by the Senator from Kentucky, Mr. PAUL.

The Senator from South Dakota.

Mr. THUNE. Madam President, I would ask unanimous consent that the next two votes be 10 minutes in length.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The question is on agreeing to the Paul amendment.

Mr. GARDNER. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The senior assistant bill clerk called the roll.

Mr. THUNE. The following Senator is necessarily absent: the Senator from Georgia (Mr. ISAKSON).

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 22, nays 77, as follows:

[Rollcall Vote No. 223 Leg.]

#### YEAS—22

Barrasso	Grassley	Romney
Blackburn	Hyde-Smith	Sasse
Braun	Inhofe	Scott (SC)
Cassidy	Kennedy	Thune
Crapo	Lankford	Toomey
Cruz	Lee	Wicker
Daines	Paul	
Enzi	Risch	

#### NAYS—77

Alexander	Gillibrand	Portman
Baldwin	Graham	Reed
Bennet	Harris	Roberts
Blumenthal	Hassan	Rosen
Blunt	Hawley	Rounds
Booker	Heinrich	Rubio
Boozman	Hirono	Sanders
Brown	Hoeven	Schatz
Burr	Johnson	Schumer
Cantwell	Jones	Scott (FL)
Capito	Kaine	Shaheen
Cardin	King	Shelby
Carper	Klobuchar	Sinema
Casey	Leahy	Smith
Collins	Manchin	Stabenow
Coons	Markey	Sullivan
Cornyn	McConnell	Tester
Cortez Masto	McSally	Tillis
Cotton	Menendez	Udall
Cramer	Merkley	Van Hollen
Duckworth	Moran	Warner
Durbin	Murkowski	Warren
Ernst	Murphy	Whitehouse
Feinstein	Murray	Wyden
Fischer	Perdue	Young
Gardner	Peters	

#### NOT VOTING—1

Isakson

The PRESIDING OFFICER. On this vote, the yeas are 22, the nays are 77.

Under the previous order requiring 60 votes for the adoption of this amendment, the amendment is not agreed to.

The amendment (No. 929) was rejected.

The PRESIDING OFFICER. The Senator from New York.

Mrs. GILLIBRAND. Madam President, I ask unanimous consent to speak for 1 minute.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mrs. GILLIBRAND. Madam President, after this vote, the people in the Gallery above us, these brave men and women who have suffered unbelievably, will not have to come here again.

This should never have been a fight. It should never have taken this long to pass this bill and make it permanent. It should never have been a question. But now, finally, we have the chance to get this job done for our 9/11 heroes once and for all—our firefighters, our police officers, our EMTs, our construction workers, our survivors, our families who stayed in their homes at Ground Zero because EPA told them the air was safe.

This bill is a signal from our Nation, from this body, from Congress, that we

are representing people in all 50 States and that the Senate will live up to the words it has said over and over again, “never forget”—that we will never forget our 9/11 heroes and that we will never stop helping them when they are in need.

The PRESIDING OFFICER. The Senator's time is expired.

Mrs. GILLIBRAND. We will pass this bill for them, once and for all, so they can get back home where they belong.

I yield the floor.

The PRESIDING OFFICER. The clerk will read the bill by title for the third time.

The bill was ordered to a third reading and was read the third time.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall the bill pass?

Mr. RISCH. Madam President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. THUNE. The following Senator is necessarily absent: the Senator from Georgia (Mr. ISAKSON).

(Disturbance in the Visitors' Galleries.)

The PRESIDING OFFICER. Expression of approval is not permitted in the Galleries.

The result was announced—yeas 97, nays 2, as follows:

[Rollcall Vote No. 224 Leg.]

#### YEAS—97

Alexander	Gardner	Reed
Baldwin	Gillibrand	Risch
Barrasso	Graham	Roberts
Bennet	Grassley	Romney
Blackburn	Harris	Rosen
Blumenthal	Hassan	Rounds
Blunt	Hawley	Rubio
Booker	Heinrich	Sanders
Boozman	Hirono	Sasse
Braun	Hoeven	Schatz
Brown	Hyde-Smith	Schumer
Burr	Inhofe	Scott (FL)
Cantwell	Johnson	Scott (SC)
Capito	Jones	Shaheen
Cardin	Kaine	Shelby
Carper	Kennedy	Sinema
Casey	King	Smith
Cassidy	Klobuchar	Stabenow
Collins	Lankford	Sullivan
Coons	Leahy	Tester
Cornyn	Manchin	Thune
Cortez Masto	Markey	Tillis
Cotton	McConnell	Toomey
Cramer	McSally	Udall
Crapo	Menendez	Van Hollen
Cruz	Merkley	Warner
Daines	Moran	Warren
Duckworth	Murkowski	Whitehouse
Durbin	Murphy	Wicker
Enzi	Murray	Wyden
Ernst	Perdue	Young
Feinstein	Peters	
Fischer	Portman	

#### NAYS—2

Lee Paul

#### NOT VOTING—1

Isakson

The bill (H.R. 1327) was passed.

## EXECUTIVE SESSION

## EXECUTIVE CALENDAR

The PRESIDING OFFICER. The Senate will resume executive session for the consideration of the unfinished business.

The Senator from Connecticut.

## HEALTHCARE

Mr. MURPHY. Madam President, I congratulate all of those responsible for the passage of this long-overdue legislation. I thank my colleagues on both sides of the aisle who made this happen but first and foremost all of the advocates all over the country but primarily in and around the Northeast. There were hundreds upon hundreds of individuals who rushed to that scene from my State of Connecticut, many of them dealing with potentially terminal diseases as a result of that action. I am glad we have stepped up in a bipartisan way and once again done the right thing.

I am on the floor to continue the conversation about healthcare. I wish I had as good news as comes with the passage of this legislation, which is going to extend the guarantee of healthcare to all sorts of heroes in and around New York. At the very same time, we are dealing with a potential calamity for millions of other Americans who also have serious conditions, who are dealing with diagnoses like cancer.

Today, if you have a preexisting condition, you know you are going to be able to get insured for that preexisting condition. If you are the parent of a child who has a serious illness, you don't have to worry about being denied care for your son or daughter because of that diagnosis. That is because we have the Affordable Care Act.

The Affordable Care Act has been on the books now for going on a decade. It says: No matter how sick you are, no insurance company can deny you care. That has made a world of difference for millions upon millions of Americans who have preexisting conditions.

The potential calamity comes in a court case filed by Republican Attorneys General, supported by the President and by Republicans in this Congress, that would try to use the court system to do what the Congress would not—overturn the entirety of the Affordable Care Act. Congress wouldn't do that. We debated it. We voted down measures to repeal the Affordable Care Act. Why? Because Americans all across this country rose up and said: We want you to fix what continues to be broken with the healthcare system, not tear down my coverage, not remove me from the rolls of those who are insured.

All across the country, over 20 million people have insurance just because of the Affordable Care Act—either because of tax credits we give people to afford private insurance or the 12 million people who got Medicaid because of the Affordable Care Act, never mind

all the folks who buy private insurance on their own, who can finally afford it because we don't discriminate against you if you are poor. People didn't want that taken away from them, so they rose up all across the country, and Congress listened. By the skin of our teeth, we voted down legislation to repeal the Affordable Care Act.

Because opponents of the Affordable Care Act—in particular, this President and Republicans who don't like it—couldn't get the job done in the people's branch, they are now going to the courts to try to repeal the Affordable Care Act. Right now weaving its way through the court system is a case called *Texas v. United States*. I won't go into the complicated legal argument. The goal of it, if it is successful, is to wipe out the entirety of the Affordable Care Act overnight. It has been successful at the district court level. It was just argued before the appellate court level, and by the account of witnesses who were there, the arguments didn't go too well for those of us who think the Affordable Care Act should stick around.

There is just a simple question right now for my colleagues: Do you support *Texas v. United States*? Do you support the lawsuit that would wipe out the entirety of the Affordable Care Act overnight and replace it with nothing?

I put Republicans on here because I actually know what the answer is from the Democratic side of the aisle. Every single Democrat in the Senate opposes this lawsuit. It is not because every single Democrat thinks you shouldn't change anything about the healthcare system; it is because we don't think it is a very good idea to kick 20 million people off of insurance, jack up rates for people with preexisting conditions, and have nothing to replace it—nothing. That is what will happen if *Texas v. United States* is successful. Petitioners are asking for the whole act to be thrown out and nothing to replace it. That would be a humanitarian catastrophe in this country, if 20 million people all of a sudden woke up and found they didn't have insurance coverage any longer; if insurers were once again able to charge that family of a child with a cancer diagnosis two times, three times, four times as much.

The question for Republicans is, Do you support this lawsuit? I think we need to get some answers. I think we need to get some answers. Some of my colleagues are on record saying they hope it fails. More are on record saying they hope it succeeds. But I don't think this body can just box its eyes and ears to the reality of what would happen if this lawsuit succeeds.

We are not riding to the rescue this Congress. Let me just be honest with you. Given how fractious the debate is here about everything but in particular about healthcare, there is no way that the Congress and this dysfunctional White House can reassemble all of the protections in the Affordable Care Act if the courts wipe them out. That is

just not realistic. We don't debate anything on this floor any longer. We don't have the muscle to pass minor pieces of legislation like this body used to do 20 years ago, never mind a reordering and reconstruction of one-sixth of the American economy, which is what the healthcare system represents.

Republicans need to start making a decision. Do you support this lawsuit or do you not? If you do support it, you can't just say "Well, you know, if everybody loses insurance and rates go through the roof for people with pre-existing conditions, we will figure it out" without having a specific plan for how you are going to do that. It is not good enough to just say "I hope that lawsuit succeeds. I hope everybody loses their insurance. And then, the day after, we will come back and we will see if we can try to find people healthcare." That is irresponsible. That is not satisfactory. It isn't enough for people out there who are living life in fear that their insurance is about to vanish.

The problem is, the last time Republicans started thinking about what they would want to replace the Affordable Care Act with, it was a joke. It was a joke. The Better Care Reconciliation Act, which was Senate Republicans' replacement for the Affordable Care Act—CBO found that it would increase the number of people without insurance by 22 million. It found that by 2026, an estimated 49 million people would be without insurance, almost doubling the number who lack insurance today. That is not better care; that is much, much worse care. So forgive me if I don't have confidence that my Republican friends who run the Senate today are going to have a plan to deal with a successful *Texas v. United States* court case that keeps insurance for people in my State, the 111,000 people in Connecticut who get insurance through the private market with ACA subsidies and the 268,000 people in Connecticut who are covered in my State under the Medicaid expansion.

It is time for everybody in this body, whether Republican or Democrat, to step up and say: A, do I support the lawsuit to get rid of all of the protections in the Affordable Care Act, with nothing to replace it, and B, do I have a plan for what to do if the lawsuit that I support is successful?

Chris, from Westbrook, CT, is asking that question of everybody in this Chamber. Here is what he said:

I am a 30 year old patient living with muscular dystrophy type 2B. Preexisting conditions can happen to anyone. . . . Disease does not discriminate. . . . No amount of pre-planning or prudence can stop you from preventing a genetic disease, for example. . . . You can be healthy one day, and have a health crisis the next. Everyone knows someone with a preexisting condition. It is a lifesaver—having insurance when you have a preexisting condition means being able to afford lifesaving medicines and treatments.

Chris is watching carefully to see what the answer to this question is.

Jeff in Enfield, CT, told me that in 2012, at the age of 7, his daughter was diagnosed with type 1 diabetes. He said:

By the time we noticed the symptoms and took her to the doctor, she most likely had only a couple weeks left to live. She is healthy today thanks to a daily regimen of insulin. But insulin in the U.S. costs five to ten times what it costs everywhere else. . . . Without insurance, the expense of keeping our daughter alive would ruin us. The prospect of my daughter being un-insurable is terrifying. . . . Without the ACA's insurance protections, the problem would be epidemic.

The problem of people not being able to afford insulin all across this country.

Jeff continued:

How can anyone be expected to live under that kind of strain, especially a young person just starting out in life?

I am asking this question of my colleagues on behalf of my constituents, but millions of Americans who are sick or have a child who is sick are sick and tired of Congress playing politics with healthcare. You may not love everything that is in the Affordable Care Act. I get it. Republicans didn't vote for it. They didn't support it. They have been consistent in trying to get rid of it ever since it was put into law. I understand that. But I have taken my Republican friends at their word over the last 10 years when they have said: We want to repeal the Affordable Care Act and replace it with something better.

Asking the courts to overturn the entirety of the act with no plan to replace it is an abdication of the promise that has been made. I don't begrudge people trying to repeal a law they don't like if they think they can do something better, but Congress didn't repeal the Affordable Care Act because people didn't want us to do it.

This is an irresponsible and thoughtless mechanism to try to score a political victory, but it ends up playing with lots of people's lives.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. DURBIN. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### HONORING FORMER ASSOCIATE JUSTICE JOHN PAUL STEVENS OF THE SUPREME COURT OF THE UNITED STATES

Mr. DURBIN. Madam President, today America lays to rest the great Justice John Paul Stevens. On behalf of the U.S. Senate, it is my privilege, along with my Illinois colleague Senator DUCKWORTH, to introduce and have adopted a bipartisan resolution honoring this remarkable and noble man, a native of the city of Chicago.

During his Supreme Court confirmation hearings in 1975, then-Judge John

Paul Stevens faced a line of questioning about his health, which, in retrospect, is amusing. They were asking questions about his health 44 years ago. Justice Stevens had undergone a single bypass heart surgery 2 years earlier, and the members of the Judiciary Committee just wanted to make sure he could handle the rigors of serving on the U.S. Supreme Court. History has shown us that Justice John Paul Stevens had not only a strong heart but a good heart when it came to serving on the U.S. Supreme Court.

Sadly, that mighty heart finally did stop beating last week. Justice Stevens was 99 years old. He died peacefully with his daughters Elizabeth and Susan by his side.

My State of Illinois is proud to claim John Paul Stevens as a native son. He was a member of a prominent Chicago family, and he grew up in the luxury of his family's hotel, then known as the Stevens Hotel and now known as the Hilton Hotel on Michigan Avenue. He never used the privilege of his family's wealth to shirk his responsibilities as a citizen of America.

In World War II he was a lieutenant commander in the Navy. He was awarded the Bronze Star for his service on the code-breaking team, whose work led to the downing of the plane of the man who had planned the attack on Pearl Harbor. After the war, he became an accomplished attorney and a champion of good, ethical government.

It was John Paul Stevens' integrity, as much as his brilliant legal mind, that convinced President Gerald Ford to nominate him, then a Federal judge on the Seventh Circuit Court of Appeals, to serve on the U.S. Supreme Court in 1975. President Ford called then-Judge Stevens "the finest legal mind I could find." The Senate obviously agreed. The vote on the Senate floor for John Paul Stevens' confirmation was 98 to 0.

He was the second oldest and third longest serving Justice in the history of our Nation, but it is the quality of his service, and not its length, that most distinguishes John Paul Stevens' career on the U.S. Supreme Court. Justice Stevens approached disputes fairly, squarely, and succinctly. He took great pains to understand all sides of a case and give all sides a fair hearing. He rejected the easy path of ideology, and he was willing to change his position when the facts warranted it.

He authored the majority opinions in some of the most famous and important Supreme Court decisions in his time. One example was in 2004. Justice Stevens wrote the majority opinion in which the Court, by a vote of 6 to 3, rejected the Bush administration's view that prisoners at Guantanamo Bay could be held beyond the reach of the law with no access to the Federal courts. The case was *Rasul v. Bush*.

In 1984, in the landmark *Chevron* case, Justice Stevens wrote an opinion for a unanimous Supreme Court about the deference owed to Agency interpre-

tations of Federal statutes, crafting a legal framework that has been cited in more than 11,000 subsequent judicial opinions.

He was also often brilliant in dissent. In his lengthy dissent in *Citizens United v. FEC* in 2010, Justice Stevens rejected the radical and, I personally believe, dangerous notion that corporations have essentially the same First Amendment rights as individuals and should be allowed to spend, potentially, unlimited amounts of money on campaigns.

President Eisenhower famously said that he made only two mistakes as President, "and they're both sitting on the Supreme Court."

President Ford felt just the opposite about his choice in Justice Stevens. In 2005, the year before his death, President Ford wrote of Justice Stevens: "I am prepared to allow history's judgment of my term in office to rest (if necessary, exclusively) on my nomination 30 years ago of John Paul Stevens to the U.S. Supreme Court." I can think of no higher praise.

Justice Stevens stepped down from the Supreme Court 9 years ago. Anyone who had hoped that he might slip quietly into retirement was certainly disappointed. He continued in his retirement to speak and write forcefully and eloquently on major issues facing America.

In 2014, he testified before the Senate Rules Committee on the dangers that dark money in politics posed to American democracy.

He wrote three books. Justice Stevens once told an interviewer that the person who most motivated him to write was a professor from whom he took a poetry class at the University of Chicago. The professor's name was Norman Maclean. In his own retirement, Norman Maclean wrote a semi-autobiographical novel entitled, "A River Runs Through It and Other Stories." It was later made into a movie starring Robert Redford.

Looking at the life's work of John Paul Stevens, it is clear that a river ran through his life too. The currents in that river included a reverence for American democracy and the Constitution, compassion and respect for individuals, and a painstaking commitment to decide each case on its merits rather than relying on easy answers suggested by political ideology.

Justice John Paul Stevens was a good man and a courageous man, whose strong heart was matched by a brilliant mind, ceaseless curiosity, and a fierce commitment to justice. He fought the good fight. He served our Nation with honor, and he safeguarded and enriched our democracy. May he rest in peace and honor.

Madam President, as in legislative session, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Res. 282, submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The bill clerk read as follows:

A resolution (S. Res. 282) honoring former Associate Justice John Paul Stevens of the Supreme Court of the United States.

There being no objection, the Senate proceeded to consider the resolution.

Mr. DURBIN. I further ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to consider be considered made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 282) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under "Submitted Resolutions.")

#### BORDER SECURITY

Mr. DURBIN. Madam President, I made my second trip to the southern border just this last Friday with, I believe, 14 of my Senate Democratic colleagues. It is the largest congressional delegation I have ever been a part of for this type of assignment. We went to McAllen, TX.

Approximately 40 percent of those who present themselves at our border come through this McAllen, TX, port. There is a port of entry there where many people, of course, are detained when they present themselves at nearby border positions.

Just a few months before, I had been to El Paso, TX, and, in El Paso, about 20 percent of those who come to our southern border present themselves as well. It was an eye opener and an emotional experience to see the hundreds of people who are being held in detention at our border in McAllen.

There were two contrasting images. One of them was the image of a Catholic nun, Sister Norma Pimentel, who has, for most of her adult life, dedicated herself to those who come to our border seeking rescue and security. Catholic Charities in McAllen, TX, has an extraordinary center filled with volunteers from all over the United States. I met some people from the city of Chicago and the State of Illinois and from all across the Nation who had given up their daily lives to come down and volunteer and do the basics—cook food, clean up, pass out toiletries, and offer a helping hand to many people who have just gone through the worst struggle in their lives.

Sister Norma is an extraordinary person, and she has really touched the hearts of so many people in her caring and loving way. It is a reminder time and again of the goodness of so many Americans who want to tell the world that we are in fact a nation driven by values of importance.

It was my good fortune to have breakfast with her and then spend another part of my day with her and my Senate colleagues. That hour—that hour I will never forget—is when I saw these people, many of whom had struggled for weeks, a month, days and days to get to the border of the United

States. They had gone through life experiences that we wouldn't wish on anyone. They were victims of assault, rape, and crimes that were committed against them, but they were leaving determined to come to the U.S. border.

Many of them told stories, particularly from the countries of Guatemala, El Salvador, and Honduras, about what they had been through and the threats to their families in these countries, which are largely lawless now, as these drug gangs and others threaten their children and them. It was in desperation that many of them made this journey, cashing in everything they owned on Earth to try to make it to the border of the United States.

Theirs is today's story, but it really is the story of this country that goes back for many years. It was 108 years ago that my grandmother decided to make her journey to the United States with three small children. She brought her two daughters and her son from the country of Lithuania to become immigrants to the United States. Her 2-year-old daughter, which she carried in her arms, was my mother, and I am a proud son of that Lithuanian immigrant.

Why did they come to the United States? Simply because they heard there was a better chance for a better future if they made it here.

That is the story of this country. We are being tested now at this time in this generation as to whether that story is still alive. Now, we understand there are some basics here. I hope we can all agree on them. Perhaps some will not, but I believe they are important.

The first is that we need border security. In an age of terrorism with the worst drug epidemic in the history of our Nation, it is right for us to know who is coming into this country and what they are bringing into our country.

Secondly, we want to make certain that anyone who is known to be a danger in this country is never allowed admittance, and those who are here undocumented and who commit a serious crime have forfeited their right to stay, as far as I am concerned—no questions asked beyond that.

The third thing is that we have to have an orderly immigration system. We cannot absorb every person in the world who wants to come to the United States at this moment. It just is not in our best interest. It really isn't in theirs either. We need an orderly immigration process. The question we have to ask ourselves is this: If we agree on those three things, can we then agree that we have a broken immigration system that needs to be repaired? Can we agree that people who do present themselves at the border will be treated in a humane fashion?

I told the story of Sister Norma, but if you look at the immigration policy of the Trump administration, you find a much different message to the world. We remember when this President ini-

tiated his Presidency by establishing a Muslim travel ban, creating chaos at airports across the country, and continued to separate thousands of American families. We remember the policy of this administration when the President announced the repeal of DACA. DACA, the Deferred Action for Childhood Arrivals, is a program that grew out of the DREAM Act, a bill that I introduced about 18 years ago. It was a bill that said—or an Executive decision, actually, under President Obama: If you were brought to this country as a child, and your parents made the decision to come, and you were just along for the ride, but you lived in this country, got an education in this country, and didn't create serious crimes in this country, you deserve a chance.

You got up every morning and went to school and pledged allegiance to that flag and believed it was your own, and, then, probably when you were about 10 or 12, someone in the family told you something that you never heard before: You were not legally in America.

What should we do with these young people? Well, when I introduced this bill 18 years ago, my plan was to give them a chance to earn their way to legal status, finish their education, make certain that they have no serious criminal record, be willing to serve this country in the Armed Forces—and so many of them are—be willing to go on to school and develop a degree in teaching, engineering, nursing, or medicine, and then we gave you a chance for a green card and a path to legalization and citizenship in America.

In 18 years, I have never been able to make this the law of the land, but I prevailed on President Obama to create a program based on this premise, and he created the DACA Program. Now, over 800,000 young people in America stepped up, paid a \$600 filing fee, went through a criminal background check, and they were given permission to stay in this country without fear of deportation and with permission to work in this country as well.

Who are they? There are so many different people. I have introduced them on the floor today—I mean other days, I should say—with color photographs and telling their stories. The ones I think of immediately, the stars of the class, as far as I am concerned, are the more than 30 of these DACA students who are currently enrolled in the Loyola University Stritch School of Medicine in Chicago, which made the competition for the school of medicine open to DACA recipients, and they competed openly and won 32 slots.

In order to pay for their education, because they don't qualify for Federal assistance to go to school, my State of Illinois loans them money, and for each year that they are loaned money, they promise to serve a year, once they are licensed physicians, in an area of medical need in my State. What a wonderful program that takes into account their skills and talent and our need in

the State for medical care in rural communities in Smalltown, America, and in the inner city of Chicago and other big cities in my State.

Well, the President of the United States decided to end the program that made them eligible to apply for medical school, and in making that decision, the President jeopardized the completion of their medical degrees because, you see, no matter how hard they worked, that medical degree leads to a residency where they learn how to practice medicine hands on, and a residency is a job, and to be legally entitled to work in this country, you need to have DACA protection, which President Trump took away.

So many of them faced the prospect that their medical education would end because of the President's decision. Fortunately for them, the case was brought to Federal court to try to stop President Trump from eliminating DACA, and it provided us with a program that will continue with its protections until the court case is resolved. That could happen, and it could happen soon.

It tells you what happens when a President makes a decision that affects so many lives and the damage that it can do, not just to them and their families but to our Nation.

The President also terminated the Temporary Protected Status Program for multiple countries that protected some 300,000 people who have come to the United States over the years because of adverse natural disasters or political conditions in their country.

Then the President, last year, initiated a program called "Zero Tolerance" that resulted in the disastrous separation of thousands of families at the border. Because a Federal court mandated it, the administration had to account for the children who were separated. There were some 2,880 infants, toddlers, and children taken away from their parents, some with lies about where these children were going and how soon they would be returned.

This is what the court said in Southern California to the Trump administration: Account for these children. Tell us where they are today. Tell us where their parents are.

They couldn't even match up all the children with the parents because many of the parents had been sent back to their countries with the promise that the children would return, and there was no recordkeeping so that could be done.

This President also was engaged, through his Department of Homeland Security, in migrant detention facilities, where the inspector general with the Department of Homeland Security found "an immediate risk to the health and safety of detainees and DHS employees."

I saw them in April of this year in El Paso. We had a detention facility there where they were holding those who were presented at the border. The sign over the door of that detention center

said: Capacity 35. I looked through the plate glass window. There were 150 men standing shoulder to shoulder. They ate standing up. There was no room for all of them to lie down and sleep. I was told a couple of weeks later that the population census had grown to 200 in that cell that was designed for 35, with 1 toilet.

Next to it was a detention cell with another plate glass window. Over the door, it said: Capacity 18. I counted 75 women, some with nursing children, in that room designed for 18 people, with 1 toilet.

That situation is unacceptable and inhumane. Regardless of the legal outcome of those who present themselves, we can and must do better as a nation. The inspector general is right. That condition that I saw was a risk to health and safety.

Then, the President, through a series of his infamous tweets, threatened mass arrests and deportations of millions of immigrants who have committed no crime and posed no threat to the safety and security of their communities. What the President has done is created rampant fear in the immigrant communities around Illinois and around this Nation.

Then, the President put in place a new rule that blocks asylum claims at our border for nationals of any country except Mexico, including families and children fleeing persecution. The UNHCR, the United Nations refugee agency, said that the rule that the President promulgated will endanger vulnerable people in need of international protection from violence or persecution.

Now the President is continuing on his path of destruction. He is considering reducing the number of refugees that the United States will admit in the year 2020 to zero.

You have to go back in history to World War II, when the President of the United States, a member of my own political party, made a conscious decision to tell those Jewish people coming from Europe that they would not be allowed admittance into the United States to escape the Nazi Holocaust. The story of the SS *St. Louis* is one that people should read and consider the 800 passengers on that ship who were rejected by the administration as refugees and sent back to Europe. A fourth of them died in the Holocaust.

Because of our feeling of shame after World War II, the United States, under Presidents of both political parties, said that we would try to set a standard for the world when it came to accepting refugees, and we did. An average of almost 80,000 per year were admitted into the United States. Think back to the Cubans who came to this country to escape communism under Castro. They have become such a vibrant part of America today, and in fact, three of the Senators today are of Cuban decent. They were part of that refugee movement—maybe not their generation but in their family.

Then, of course, we accepted Jewish people from the Soviet Union, who were being persecuted. Soviet Jews found a welcoming America. The Vietnamese who risked their lives to fight on our side in that horrible war were welcomed into the United States rather than see them face persecution in their own countries.

The story goes on and on and for years and years. For decades the United States established a standard of caring when it came to refugees. Now this President has announced that despite all of the turmoil in the world, we cannot accept a single refugee in the year 2020. What a departure from the high-minded and high-valued conduct of previous Presidents.

Since the enactment of the Refugee Act of 1980, the United States has resettled over 80,000 refugees per year under the administrations of both political parties. President Trump has said he will end it.

For the last 2 years, the Trump administration has set the lowest refugee ceilings in history in the midst of the worst refugee crisis in history. Now the administration may slam the door at least for a year or until someone prevails on the President.

Today, as almost every day, the administration has announced a new rule that allows immigration officers to arrest and deport undocumented immigrants anywhere in the United States unless that person can prove they have been in the United States for at least 2 years. I ask, if someone stopped you on the street and said "Prove you have been here for 2 years," how long would it take you to gather that documentation to make that proof, if you can? To do this to people and threaten to deport them on the spot immediately if they don't produce the documentation is totally unfair. This procedure, known as expedited removal, allows an immigrant to be deported without consulting with an attorney or counselor or defending themselves in a hearing before an immigration judge. It is summary judgment on the street to deport people and tear families apart.

America is better than this. We can certainly keep America safe and respect our heritage as a nation of immigrants. We can have a secure border and abide by our international obligations to protect refugees fleeing persecution as we have done on a bipartisan basis for decades.

When I went and toured the McAllen Border Patrol station, Donna, and Urvula, we met with many of the leaders there and saw firsthand what is happening. We are starting to build facilities that will be more humane, at least by design, and hope that is exactly what happens.

I would like to say a word about the men and women who work for Customs and Border Protection. I am not going to make any excuses for those who have abused people in the past or those who have said horrible things online about them—no excuses at all. But the

people I met as part of our government service at the border were overwhelmingly good and caring people who are confronted with a situation at the border that they never envisioned with circumstances beyond their control. So I want to say a word for those who are doing the best they can under these extraordinary circumstances and thank them for their service.

The reality is that President Trump's policies, as harsh and cruel as they have been, have been ineffective at our southern border. The situation is much less secure than when he took office. The President's obsession with the border wall led to the longest government shutdown in history, even paralyzing our immigration courts for that 35-day period.

More refugees have been driven to the border because the President has shut down the legal avenues for migration and blocked all assistance to stabilize the Northern Triangle countries.

Under President Obama we set up incountry in Guatemala, El Salvador, and Honduras an opportunity for those who wished to come forward and apply for asylum status in the United States without leaving their own country if they chose to do it. It was one alternative to an expensive, dangerous trek to the southern border. The Trump administration closed down that program, giving the people in those countries no other alternative but to try to make that trip to the border. That made no sense at all.

There is also a gaping leadership vacuum at the Department of Homeland Security. In the 2½ years the President has been in office, there have been four different leaders in the Office of the Secretary of the Department of Homeland Security, and in every major subcategory position, whether it is interior enforcement or border enforcement, there have been at least as many people in an acting capacity and not in a permanent capacity.

I will say that we have tried our best to work with this administration when they have asked for help and volunteered it when they didn't. Last February, when we passed the omnibus bill, we included over \$400 million for humanitarian assistance at the border, and when the President came back and asked for an emergency supplemental of \$4.6 billion for additional funding, Democrats joined Republicans to pass that legislation.

Last year, before the border crisis began, Senate Democrats supported a bipartisan agreement, including robust border security funding and dozens of provisions to strengthen border security. But the President threatened to veto it, and instead pushed for a hardline approach, which, when it was called for a vote in the U.S. Senate, received fewer than 40 votes.

Six years ago, in 2013, there was a problem on the Senate floor, and there aren't many to recall as we stand here today, but this was one of them. I was part of the Gang of 8, four Democrat

and four Republican Senators who worked for months—Senator John McCain, CHUCK SCHUMER, and many others—to put together a comprehensive immigration reform bill. We brought it to the floor of the Senate, and it passed 68 to 32. It was a step and a move in the right direction to deal with our broken immigration system. Unfortunately, the Republican House leadership refused to even consider that bill or call for a hearing. The Acting Secretary of Department of Homeland Security, Kevin McAleenan, said that if our bill in 2013 had been enacted into law, “we would have a very different situation. . . . we would be a lot more secure on our border.”

Republican Senator LAMAR ALEXANDER of Tennessee, who supported that bill, said “If that bill became law, most of the problems we're having today we'd not be having.”

We had a path, a bipartisan path, a good path that we should return to. It is time for us to find a way to work together for a secure border, for a secure nation, to reduce the massive amounts of money that are being spent now because of this migration, and to do it in a humane fashion consistent with the values of the United States.

We are ready to work with Republicans. Democrats on this side of the aisle are ready to work to achieve goals I think we all share. We need to address the root causes in the Northern Triangle countries that drive migrants to flee to the United States. We need to crack down on the traffickers and transporters who are exploiting these migrants. We need to expand third-country resettlement so that immigrants can find their way safely without making that dangerous trek. We need to eliminate immigration court backlogs so that asylum claims can be processed more quickly. We need to expand the use of proven alternatives to detention, like family case management, so immigrants know their rights and show up for court.

It was hard to believe, when we went to Sister Norma's cafeteria centered in McAllen—some of the migrants who had gone through the system and were now heading to join family members in the United States showed us the packets they were given with legal documents. Understand, these people were fresh off the border, out of detention. As we looked inside the packets, we found in many cases that the instructions were printed in English, not Spanish, and they did not include any specific time or place for the person to report. They had simply typed in “to be determined.” Is it any wonder that people struggle to come to a court hearing as required by law?

We can do better. We need to get them the information they need if they are going to be a part of our legal system and tell them the time and place they need to report.

We stand ready to work on this side of the aisle for smart, effective, humane border security policy. We need

to have a bipartisan approach. Republican colleagues need to step up and find a constructive way to deal with the challenges we face on the border today. We can keep America safe. We can continue to probably call ourselves a nation of immigrants. What we are seeing now is a situation which begs for a bipartisan, compromise solution.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. CASSIDY). The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. REED. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### MUELLER REPORT

Mr. REED. Mr. President, I come to the floor just the day before Robert Mueller is set to come before the House Intelligence and Judiciary Committees to focus attention on some of the key findings of the special counsel's report on Russia's interference in our 2016 elections.

I have spoken on the floor many times about the depth and breadth of the Russian interference in the 2016 election. The special counsel's report goes to great lengths to detail this, in his terms, “sweeping and systemic interference.” What continues to be worrisome is that these information warfare attacks and other malign influence operations are ongoing with more plans for our elections next year.

This threat to our national security and the integrity of our democracy has yet to be sufficiently recognized or counted by this administration. Indeed, in the months since the report was released, the Trump administration and congressional Republicans have repeatedly claimed that the report vindicates the President on all charges of collusion between the Trump campaign and Russia and on obstruction of justice rather than taking steps to ensure that we will never be targeted in this way again.

The special counsel's testimony is vital so he can detail what he uncovered and shed additional light on the events of the investigation. In particular, what Congress and the American people need to hear from Director Mueller relates to three broad categories of questions. For instance, what was the full scope of Russian interference in the 2016 election?

Second, what evidence did the special counsel find of coordination between Trump campaign associates or the President and the Russian Government, and why did he decide the available evidence was not sufficient to prove a criminal conspiracy with Russia?

Third, what evidence did the special counsel find that the President obstructed justice?

Tomorrow's testimony will help the public understand the gravity of the President's conduct in the White House



and the extent to which Russia influenced the 2016 election. These hearings are not the end. This is not case closed. The intelligence community has assessed that the threat from Russia will continue to evolve and grow even more sophisticated. For our elections to remain free, open, and transparent, we must take seriously the threat posed by Russia and other potential foreign adversaries. We must hold hearings in the Senate with testimony from the special counsel's office and key witnesses from the report. We must consider legislation on election security, foreign influence operations, disinformation, Federal election laws, money laundering, and many other issues.

When it comes to protecting our democracy, we cannot be complacent. Now is the time for action to make sure we are ready ahead of the elections in 2020 and beyond. Each and every one of us in this Chamber swore an oath to support and defend the Constitution of the United States against all enemies, foreign and domestic. In order to do that, we can't just take tweets about no collusion and no obstruction at face value. This isn't a witch hunt, nor should it be an effort to circle the partisan wagons around the President and absolve him of any wrongdoing. It has to be a serious examination of what happened and how to defend our Nation against future attacks.

Mr. President, in anticipation of the upcoming testimony of the special counsel before the House Intelligence and Judiciary Committees, I want to highlight key findings in his report that go to the heart of Russian interference into our elections in 2016 and the ongoing threat still facing our national security and the integrity of our democracy.

Indeed many of the President's own national security officials have warned of heightened Russian information warfare attacks and other foreign influence operations in next year's election—which could make its 2016 interference in our elections, catalogued in the Mueller report, look like child's play. Federal Bureau of Investigation Director Wray recently stated that the 2018 midterm elections were seen by Russia as “a dress rehearsal for the big show in 2020.” Wray added that the FBI anticipates the 2020 “threat being even more challenging.” Director of National Intelligence Daniel Coats warned the Senate Intelligence Committee in January 2019 that, in the 2020 election cycle, “Moscow may employ additional influence toolkits—such as spreading disinformation, conducting hack-and-leak operations, or manipulating data—in a more targeted fashion to influence U.S. policy, actions, and elections.”

Despite this ongoing and increasingly sophisticated threat, we are still not fully prepared to defend against the inevitable Russian attacks on our democracy. The Russian interference in the

2016 election was akin to a military operation against our nation. To date, we do not have a complete understanding of what happened in 2016. More importantly, we do not have a comprehensive strategy, nor have we reorganized our government or prepared the American people, so that such foreign interference will not happen again. The release of the Mueller report cannot mark the end of the strategy to investigate and prevent Russian interference. The special counsel's testimony will add to the urgency for this administration and Congress to change course and act immediately to protect our democracy and strengthen public faith in the American election process.

Since the release of the special counsel's report, the President, the Attorney General, and some Republican congressional leaders have said that the case of Russian interference in the 2016 election is closed, that our work is done, and that we can move on. The President has repeatedly claimed that the special counsel's report cleared him of any connections to Russia and any wrongdoing in contradiction of the voluminous evidence laid out in the report. But those declarations of innocence just don't square with the facts. Congress has a constitutional duty to review the findings of the special counsel on behalf of the American people and not simply accept the administration's spin and mischaracterizations of Robert Mueller's findings.

Despite the President's declarations of “hoax” and “witch hunt,” the special counsel's office did bring indictments for “conspiracy to commit offense or to defraud the United States” under 18 U.S. Code §371, against Putin crony Yevgeny Prigozhin, who was in charge of the Kremlin-linked troll operation known as the Internet Research Agency, and against his related holdings and multiple employees. The investigation also resulted in conspiracy indictments of 12 officers from Russian Military Intelligence, also known as the GRU.

While the available evidence did not meet the legal standard to charge the President or his associates with a crime for a coordinating role in that conspiracy, the special counsel takes care to note that does not mean that evidence of coordination does not exist. This is not, as the President has attested, “a complete and total exoneration.” As the special counsel plainly points out, in regards to coordination with Russia, while “this report embodies factual and legal determinations that the office believes to be accurate and complete to the greatest extent possible, given these identified gaps, the office cannot rule out the possibility that the unavailable information would shed additional light on (or cast in a new light) the events described in this report.”

What is more, President Trump and his supporters purposefully leave out important context from the report where the special counsel explains that

he lacked the authority to indict a sitting President because of an Office of Legal Counsel, OLC, opinion finding that “the indictment or criminal prosecution of a sitting President would impermissibly undermine the capacity of the executive branch to perform its constitutionally assigned functions” in violation of “the constitutional separation of powers.”

Another critical consideration for the special counsel was that a Federal criminal investigation of a sitting President could preempt the authority vested in Congress by the Constitution to address Presidential misconduct. In addition, Mueller notes that “a President does not have immunity after he leaves office” and that “we conducted a thorough factual investigation in order to preserve the evidence when memories were fresh and documentary materials were available.” Put together, while the special counsel concluded that he could not prosecute the President, he makes it clear that he is creating a record of evidence and deferring to Congress and future prosecutors should they pursue an obstruction case.

Which is all the more reason why we must hear from the special counsel on his findings and his decision-making process. In particular, what Congress and the American people need to hear from Special Counsel Mueller relates to three broad categories of questions.

First, what was the nature and extent of the Russian interference campaign launched against the United States in the 2016 election? Second, what evidence did the investigation find of Trump campaign associates or the President coordinating with the Russian campaign, and why did Mueller decide the available evidence was not sufficient to prove “beyond a reasonable doubt” that they had criminally conspired with the Russian efforts? And the third set of issues relate to acts of obstruction by Trump campaign associates and the President himself.

On the first set of issues, one of the main responsibilities charged to the special counsel by the Department of Justice was to conduct a “full and thorough investigation of the Russian government's efforts to interfere in the 2016 presidential election.” As the report concludes, “the Special Counsel's investigation established that Russia interfered in the 2016 election principally through two operations.”

First, Mueller provides detailed evidence that Kremlin-linked operators sought to help the Kremlin's preferred candidate, whose election would serve Russia's interests. The report describes how a Kremlin-linked troll operation, called the Internet Research Agency, “carried out a social media campaign that favored presidential candidate Donald J. Trump and disparaged presidential candidate Hillary Clinton.” It also found that “[a]s early as 2014, the [Kremlin-linked Internet Research Agency] instructed its employees to



target U.S. persons who could be used to advance its operational goals.”

Second, Mueller describes in detail the Russian spying operation to steal “dirt” on the opposition candidate and then use that stolen information against her. The report states unequivocally, “[a] Russian military intelligence’s spying operation conducted computer intrusion operations against entities, employees and volunteers working on the Clinton Campaign and then released stolen documents.”

The Mueller report makes clear that the Russian election interference was a coordinated campaign targeting our democracy along multiple lines of effort. While these conclusions affirm the assessments of our intelligence community, the President appears unwilling or unable to take them seriously.

At the G20 Summit in Osaka in June 2019, President Trump treated Russian election interference as a joke, signaling to Putin that he would not hold Russia accountable. And in a recent interview, the President failed to grasp what was wrong with taking “dirt” on his political opponent from a foreign source and indicated that, if it happened again in the 2020 campaign, he would listen to what they had to say and then decide whether or not to report it to the FBI.

Now let me turn to the second set of issues Special Counsel Mueller needs to address, relating to his task by the Department of Justice to investigate “any links and/or coordination between the Russian government and individuals associated with the campaign of President Donald Trump.”

The special counsel’s report presents significant evidence that President Trump and his associates embraced, encouraged, and applauded Russian help. The report definitively concludes that Russia saw its interests as aligned with, and served by, a Trump Presidency; that a central purpose of the Russian interference operations was helping the Trump campaign; and that the Trump campaign anticipated benefiting from the fruits of that foreign election interference. Mueller provides detailed evidence of multiple contacts by Russian government officials or their proxies with the Trump campaign to facilitate relationships. The report states: “[t]he investigation . . . established numerous links between the Russian government and the Trump campaign.”

Ultimately, however, the special counsel’s investigation lacked sufficient evidence to prove beyond a reasonable doubt that the Trump campaign or its associates conspired with the Russian Government in its election interference. As the report states: “[a]lthough the investigation established that the Russian government perceived it would benefit from a Trump presidency and worked to secure that outcome, and that the Campaign expected it would benefit electorally from information stolen and released through Russian efforts,

the investigation did not establish that members of the Trump Campaign conspired or coordinated with the Russian government in its election interference activities.”

As referenced earlier, a key question that Special Counsel Mueller needs to address during his testimony is why was the investigative team unable to establish to a criminal standard of proof that is “beyond a reasonable doubt” coordination between people associated with the Trump campaign, and Russian actors conspiring to undermine the U.S. elections.

This raises questions related to the third set of issues for Special Counsel Mueller, namely whether the President obstructed justice in connection with the Russia-related investigation and hindered the ability of the special counsel’s office to gather relevant evidence. And if so, did that obstruction materially impede Mueller’s ability to conclude “beyond a reasonable doubt” that the Trump campaign or the President himself conspired with Russian interference? These questions raise profound issues for our national security and the integrity of our democracy, and the special counsel’s answers will determine what Congress’s next steps should be in meeting its constitutional responsibilities.

Indeed, the Mueller report establishes multiple incidents in which the President committed acts that were capable of impeding the Trump-Russia investigation. For example, President Trump asked then-FBI Director James Comey to stop looking into his former National Security Advisor General Michael Flynn, after finding out that Flynn was questioned about his contacts with the Russian Ambassador. President Trump also repeatedly asked Comey to publicly say that Trump himself was not under investigation and then fired Comey when it became clear he was unwilling to do so.

In addition, the President tried several different tactics to have the special counsel’s investigation curtailed. President Trump initially put forward claims that the special counsel had conflicts of interest, which his advisers informed him were meritless. When that did not work, the President gave his subordinates—including White House Counsel Don McGahn, White House Chief of Staff Reince Priebus and former campaign manager Corey Lewandowski—direct orders to either have the special counsel removed or to pressure then-Attorney General Sessions into limiting the scope of the special counsel’s investigation to future election interference, instead of scrutinizing the President and his campaign’s conduct.

McGahn, Lewandowski, and Priebus all failed to follow the President’s orders. The special counsel importantly notes that attempts “to influence the investigation were mostly unsuccessful, but that is largely because the persons who surrounded the president declined to carry out orders or accede to his requests.”

Furthermore, the special counsel’s report found that the President and his aides materially impaired the investigation. For instance, the President did not give an in-person interview to the special counsel and would only answer written questions that did not address issues relating to Presidential obstruction. In his written responses, the President replied that he could not recall or did not remember more than 30 times, covering the vast majority of the questions. In addition, numerous Trump campaign associates and others from his inner circle, including General Michael Flynn, George Papadopoulos, and Roger Stone, and his attorney Michael Cohen, lied about their dealings with Kremlin or Kremlin-linked actors. Michael Cohen, for example, admitted to the special counsel that among the reasons he lied to Congress about the Trump Tower Moscow project was to try and limit the ongoing Russia investigation. In each of these cases, the Mueller report found “those lies materially impaired the investigation of Russian election interference.”

Similarly, the special counsel found that Trump campaign associates frustrated the investigation by deleting information or otherwise impeding the ability of the special counsel to obtain relevant communications pertinent to the investigation. One example was Trump campaign associates’ communications with Konstantin Kilimnik, a Ukrainian national whom the FBI assesses as having ties to Russian intelligence and who worked for Trump campaign chairman Paul Manafort’s political consulting business for many years. During 2016, Manafort directed his campaign deputy Rick Gates to provide internal polling data to Kilimnik. Manafort expected Kilimnik to share that information with others in Ukraine and Putin crony Oleg Deripaska, who had funded pro-Kremlin political influence operations in the past. The Mueller report details that Gates used an encrypted app to send the polling data and then deleted it daily. As a result of deleted and encrypted communications and because of Manafort’s false statements, the special counsel was not able to determine what happened with this data and whether it was part of a coordinated effort between Russia and the Trump campaign to interfere in our election. The report makes clear that the lying, obfuscations, and denial of access to key information had a direct effect on the investigation’s ability to determine the nature and extent of any coordination by President Trump and his associates with Russian conspirators.

What makes the Mueller’s testimony even more urgent are the Trump administration’s efforts to attack the credibility of the report and to prevent Congress from further investigating Mueller’s findings. The White House has adopted a strategy of trying to block key witnesses named in the Mueller report from testifying before

Congress, including Don McGahn, Annie Donaldson who served as chief of staff to White Counsel McGahn, and White House and Trump campaign communications director Hope Hicks, by invoking legally dubious or overly broad claims of privilege. The White House has also stymied Congress by asserting Executive privilege over the full, unredacted version of the report and the underlying documents and only providing access to a few select Members.

It is not only the White House that has been trying to muddy the waters around the Mueller report. Attorney General William Barr has deliberately mischaracterized and increased partisan skepticism of the report. Before releasing the report to the public, Barr published a misleading summary of its findings, which the special counsel disputed. Barr also held a press conference where he claimed that the White House fully cooperated with the special counsel's investigation, that the special counsel found "no collusion," and that there was not sufficient evidence to establish obstruction of justice. These statements are favorable to the President, but none of them are consistent with the special counsel's findings.

As I have laid out, despite the ongoing and increasingly sophisticated threat we face and despite the 2020 election being less than a year and a half away, we are still not prepared to defend against the inevitable Russian attack on our democracy. As Mueller said during his press conference on May 29, 2019, "I will close by reiterating the central allegation of our indictments—that there were multiple, systematic efforts to interfere in our election. That allegation deserves the attention of every American."

I could not agree more. We cannot forget that Russia interfered in our election in 2016 with hybrid warfare tactics and tried to do it again in 2018. And our intelligence community assessed that it is poised to conduct additional operations against our elections in 2020 with increasing sophistication. We cannot ignore these attacks or wish them away.

The impediments erected by the President and the people around him meant that despite the best efforts of the Mueller team, there remains unfinished business in getting to the bottom of what happened in 2016 and afterward, which is why it is critically important we hear from the special counsel.

While it is an important step that the special counsel is testifying to the House in front of two committees, I am making this statement about the questions that should be asked of Mueller because, as of this moment, there are no scheduled hearings or plan for him to appear in the Senate. We should be holding hearings in the Senate with testimony from the special counsel and others on many issues, including the ones I have raised. We should be passing legislation, including on election security, to ensure that we are appro-

priately reorganized across government and society ahead of the elections in 2020 and beyond. Indeed, the administration needs to take election security seriously. That means being proactive. It also means finding ways to reassure the American people about the legitimacy and validity of our elections. For example, we could require the Secretary of Homeland Security, with the concurrence of the Director of National Intelligence and the FBI Director, to rapidly assess and inform the public about whether any foreign interference or influence is detected against our election process, procedures, and infrastructure.

As Former Ambassador to Russia Michael McFaul wrote in the Washington Post after the special counsel's report was released: "the Mueller report is a good start, but it is only a start." There is too much at stake for our national security and the integrity of democracy to stop now.

#### NOMINATION OF MARK T. ESPER

Mr. President, I had the opportunity and the privilege, as we all did earlier today, to vote for Secretary Mark Esper as the next Secretary of Defense.

I have known Dr. Esper for more than a decade. He is a public servant and a patriot of the first order. I think the overwhelming vote today indicates the confidence we have in him, and it indicates the importance we understand that job holds for all of us. We have entrusted it to someone who began his dedicated service to the country as an 18-year-old at West Point, served in the Army, then went on to serve in administrations and as a public-spirited citizen through his entire life.

Mr. President, I rise to state my support for the nomination of Dr. Mark Esper, who was confirmed earlier today to be the 27th Secretary of Defense.

Dr. Esper has served this Nation in a variety of roles most of his life. He is a 1986 graduate of the U.S. Military Academy. He served in the 101st Airborne Division and participated in the 1990-91 Gulf War with the "Screaming Eagles." He retired from the U.S. Army in 2007, after spending 10 years on Active Duty and 11 years in the National Guard and Army Reserve.

After the Army, Dr. Esper worked in the private sector, but he also worked in several offices on Capitol Hill, including the offices of Senator and Secretary of Defense Chuck Hagel and Senate Majority Leader Bill Frist. He also was a professional staff member on the Senate Foreign Relations and Senate Government Affairs committees and the House Armed Services Committee. Until his nomination to be Secretary of Defense, Dr. Esper was serving as the 23rd Secretary of the Army. His wealth of experience in defense policy and in senior leadership positions in both the public and private sector should serve him well as Secretary of Defense.

It has been nearly 7 months since the Department has had a Senate-confirmed Secretary of Defense. At no

other time in history has the office of the Secretary remained vacant for so long. In addition, we must bear in mind the national security challenges facing our country. Currently, the Department is focused on competition with near-peer adversaries like China and Russia. As the Department pursues the new strategic direction established by the National Defense Strategy, Iran and North Korea remain dangerous, and the threat posed by violent extremist organizations is not diminishing. Furthermore, the Department must continue to recruit and retain high-caliber individuals, while restoring readiness, and pursuing new high-end capabilities for the force.

Despite these daunting challenges, the number of senior-level civilian vacancies throughout the Department is staggering. The constant turnover of senior civilian leadership, coupled with the duration of these vacancies, has been troubling. I believe it has had a significant impact on the Defense Department, which is adrift in a way I have not seen in my time on Capitol Hill. It is my hope that Dr. Esper will work to fill these civilian leadership positions because it is necessary to manage the difficult challenges facing the Department, as well as the extensive Pentagon bureaucracy.

In addition, Dr. Esper will help oversee national security policy for a President whose temperament and management skills are challenging. It is extremely important for our Nation that he be surrounded by leaders who can provide thoughtful advice and counsel. Diversity of opinion is important when crafting policy and making decisions that impact the well-being of our men and women in uniform. It is my fervent hope that Dr. Esper will be willing and able to provide the President with his best policy advice even if the President disagrees with the counsel or it runs contrary to his policy goals.

But most importantly, while the Secretary of Defense serves at the pleasure of the President, we should never forget that they also oversee the finest fighting force in the world, men and women who have volunteered to serve a cause greater than themselves. Our servicemembers and their families should always be at the forefront when considering defense policy or military action.

On a final note, I would also like to thank Dr. Esper's family, his wife Leah and their children, Luke, John, and Kate. They, too, will be serving our country, and we appreciate their support.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. BLUMENTHAL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

## NOMINATION OF STEPHEN M. DICKSON

Mr. BLUMENTHAL. Mr. President, when it comes to air safety, the United States of America should be the gold standard for the world. In fact, better than the gold standard, it ought to be the Sullenberger standard.

We remember Sully Sullenberger, who was the pilot at the controls when the “Miracle on the Hudson” flight in 2009 landed safely. He prescribed the qualities that we should regard most highly as we choose a new Administrator of the FAA. He also gave us the leadership we need and should respect when considering the nomination of Stephen Dickson. We should reject it, and he articulated exactly why.

Chesley “Sully” Sullenberger said about Stephen Dickson that “his actions and words raise grave concerns about his ability to act with the integrity and the independence the next FAA Administrator must have to navigate the challenges of the ungrounding of the 737 MAX and to rebuild the global trust in the FAA’s confidence and ability to appropriately certify new aircraft design.” That is what he said in an interview with POLITICO, but he said it publicly on a number of other occasions. Those two qualities that he mandated in the next FAA Administrator as more important than any other—*independence and integrity*—are precisely the qualities that Stephen Dickson lacks. It is that failing which brings me to the floor now to oppose his nomination.

Sully Sullenberger highlighted the particular experience that exemplified that failing, which is Stephen Dickson’s involvement in a whistleblower case.

As I know from my experience as the U.S. attorney and attorney general, whistleblowers are the ones who bring information to light that can help save lives. Whether it is in the criminal area or air safety or drug effectiveness or many other areas, including other areas of transportation safety, whistleblowers play a vital role, so they need protection. They should never be retaliated against. They should never be objects of retribution. They should be protected and encouraged. That is what an air safety expert who really cares about safety—someone who respects independence and integrity—would do. That is exactly the opposite of what Stephen Dickson is alleged to have done in the case of Karlene Petitt.

Ms. Petitt’s case was brought to our attention after Stephen Dickson’s testimony to the Commerce Committee, so we had no real opportunity to ask him about it in his confirmation hearing. In fact, we never learned about Ms. Petitt’s case or a deposition that Dickson gave for it until after that hearing. He didn’t disclose it because he purportedly interpreted a Senate Commerce Committee questionnaire as asking about “my personal conduct and my behavior both in general and as an officer of a large public company or any instance in which I was named as

a party to a proceeding.” He didn’t think that a court case or a deposition fit that definition.

The simple fact is that Ms. Petitt alleged she was subject to retaliation after presenting Mr. Dickson and other Delta executives, including the current CEO, Ed Bastian, with a written report regarding Delta’s “Flight Operations’ Safety Culture” in January 2016. That report alleged significant facts that should have been investigated.

Following its submission and a meeting with a member of Delta’s human resources staff, Ms. Petitt was removed from duty. In fact, in March 2016, she was referred for a psychiatric examination. That is the way Delta reacted to her whistleblower complaint. The doctor chosen by Delta diagnosed her with bipolar disorder and found that she was unfit for duty. When she was evaluated by a panel of eight doctors at the Mayo Clinic and an independent third-party doctor, these psychiatrists concluded that Ms. Petitt did not, in fact, suffer from a mental illness and was entirely fit for duty.

The appearance and seemingly the reality is that her safety concerns were meant to be buried rather than taken seriously and addressed. Mr. Dickson played a part in that reaction to her whistleblower concerns. In fact, the psychiatrist who first evaluated her concluded that she must have this disorder because, as a woman, how can she be raising three young children and be studying for another possible degree and at the same time working as she was. That kind of evaluation was certainly entitled to very little respect.

Again, Mr. Dickson never disclosed it to us, so we could never ask him about it at the nomination hearing. He never disclosed it before that hearing. When he was called upon to explain this lapse, instead of taking ownership of his failing, he sought to minimize his involvement inconsistently with the facts of the case. His failure to disclose it and his reaction to it would itself be disqualifying, but there are other grounds as well.

He is simply not the right person for this agency at this time. Integrity and independence are now more important than ever because the airline industry and particularly Boeing need new leadership in oversight and accountability. New leadership from the FAA is critically important in light of its failure to ground those 737 MAX airplanes ahead of the rest of the world—in fact, the FAA follows the rest the world—and because of their delegation of authority for certification to Boeing and manufacturers generally. That delegation of authority essentially puts the fox in charge of the henhouse. It may have been for cost savings to the FAA because they could allow Boeing to hire, pay, and fire the certifiers, but at some level, it meant that Boeing then in effect controls the safety and scrutiny supposedly exercised by an independent FAA. That independence is critically important.

Mr. Dickson comes from a long career at Delta Airlines—in fact, a record at Delta that raises questions about his independence from the industry and at a time when that agency must guarantee its independence from that industry.

Our next FAA Administrator will, in fact, have enormous challenges in restoring public trust. This agency has been undermined by its failure to ground airplanes, to exercise independent judgment, and to do the kind of scrutiny necessary and what is needed, in fact, in new leadership. The FAA’s broken system—at least in public perception—requires a new voice, untainted by connections to the industry. We have an opportunity to find someone who will restore that confidence in America and worldwide.

He is very simply not the right person for this job, and I urge my colleagues to oppose him and to respect the advice given to us by Sully Sullenberger, who has highlighted those two qualities: *independence and integrity*—integrity not only in past careers but in dealings with the U.S. Senate, in full disclosure with respect to whistleblowers, in highlighting public safety above profits or interests of the industry. That is the kind of independence and integrity we need. I still have hope that we can find it if my colleagues join me in opposing this nomination.

Thank you.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant bill clerk proceeded to call the roll.

Mr. GRASSLEY. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

## MUELLER REPORT

Mr. GRASSLEY. Madam President, on April 8, this year I came to the Senate to speak about the end of the special counsel’s investigation. Now that Special Counsel Mueller is set to testify tomorrow in the House of Representatives, I would like to reiterate several points I made in that speech that I believe are still very relevant today.

I noted that the facts show the real collusion was actually brought about by the Democrats. It is pretty well documented that the Clinton campaign and the Democratic National Committee hired Fusion GPS to do opposition research against Candidate Trump.

Fusion GPS then hired Christopher Steele, a former British intelligence officer, to compile the famous Steele dossier. That document was central to the fake collusion narrative, and it reportedly used Russian Government sources for information.

So the Democrats paid for a document created by a foreign national that relied on Russian Government

sources. Let's also not forget about news reports that the Democratic National Committee interfaced with the Government of Ukraine to try and get dirt on Candidate Trump—not Trump but the Democrats. Now that is the definition of collusion. Maybe that is why the Democrats seem totally uninterested in figuring out the origins of the Russian investigation because they were a prime mover in making it all happen.

Now they have asked the Justice Department to produce the Mueller report's underlying evidence, including all intelligence-related information. I agree with the need to see as much information as possible. In fact, I have cosponsored a bill that would do just that, but the Democrats' fury over Mueller's findings and their inconsistent positions makes me think all of this is more about politics than principle.

As I have said repeatedly, to guard against political gamesmanship, there is only one legitimate way to do this. Let's see all the documents, every one of the documents; meaning, that if Congress is going to review the Mueller report's underlying information, it should be able to review information relating to how—absolutely how the Russia investigation started. Anything less will fail to provide the full picture.

Furthermore, to be very consistent, we shouldn't stop at the Russia investigation. The Democrats want all of the Mueller information but seem to be turning a very blind eye to other investigations where Congress, as well as the public, have yet to see it all. Again, that leads me to believe that their request for Mueller-related documents is a political ploy.

Take, for example, the Clinton investigation. As I have written about publicly before, the Justice Department inspector general produced to Congress a highly classified document relating to this Clinton investigation. That document raises additional questions for the FBI and the Justice Department. These agencies ought to produce additional information to Congress and answer these questions to provide full accounting of what transpired.

Here is an excerpt, then, from the inspector general's unclassified report on the Clinton investigation:

"Although the Midyear team [that happens to be the code word for the Clinton investigation] drafted a memorandum to the Deputy Attorney General late May 2016 stating that review of the highly classified material was necessary to complete the investigation and requesting permission to access them, the FBI never sent this request to the Department."

So this tells us four things. One, the FBI apparently was aware of highly classified information potentially relevant to the Clinton investigation in its possession; secondly, that the FBI drafted a memo in May of 2016 to get access to the information; three, that memo said review of the information

was necessary to complete the investigation; and fourth, the fact that the memo was never sent.

So, with great emphasis, how could the Obama administration's FBI finish the investigation if they never got access to all potentially relevant information?

Now, there ought to be great Democratic outrage at that apparent failure, and there doesn't seem to be. Will Democrats ask the Justice Department for all underlying information relating to Hillary Clinton's investigation?

Then there is another example. What about the case called Uranium One? I have been pushing for years for more answers about this transaction that allowed the Russian Government to acquire U.S. uranium assets. I have received classified as well as unclassified briefings about this matter.

My staff recently went to FBI headquarters to review additional classified material, and I have identified some FBI intelligence reports that may shed more light on the Uranium One transaction. However, the Attorney General has refused to provide access to those other documents.

Well, if the Democrats demand intelligence-related information from the Justice Department regarding the Mueller report, there should be no reason whatsoever why they shouldn't do the same for Uranium One.

The American people rightly ought to expect something as simple as consistency. If you aren't consistent with what you ask for, then you will not have any credibility.

My attitude and approach is straightforward and nonpartisan. Let's see it all—Russia, Clinton, Uranium One, all of it. As I said on April 8, sunlight is the best disinfectant.

As we listen to and watch tomorrow's testimony going on in the House of Representatives, with Mueller coming back to tell us probably nothing new because he said he isn't going to say anything that isn't already in the 448-page report, let's keep that in mind. Let's see all of it—Russia, Clinton, Uranium One, as well as anything the Democrats are asking for in regard to the Mueller report.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. CORNYN. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### 9/11 VICTIM COMPENSATION FUND

Mr. CORNYN. Madam President, for every American who is old enough to remember, the attacks of September 11, 2001, can be recalled as if they happened yesterday. It is one of those rare, almost generational moments that stand in the forefront of our Nation's collective memory. I am confident that if we lined up all 100 Members of the Senate and asked them where they were that morning, they could tell you.

I was in Austin, at home, on the telephone talking to then-Governor Perry, now the Secretary of Energy. My wife got my attention and said: Hold on. You are going to want to see this.

I turned to look at the television just as the second airplane hit the World Trade Center. I don't have to tell you; we all remember the heartbreak, confusion, and anger that welled up in all of us as we saw those images.

In the days and months and years since the attack, we vowed as a nation to "never forget" the events of September 11. I think that is one of the pivotal moments in our Nation's history. We will never forget the 3,000 lives that were lost that day, the loved ones they left behind, or the courage demonstrated by the brave first responders who came from across the country to help in the aftermath of those horrific attacks.

Today, Members of the Senate had an opportunity to vote on legislation to turn that promise to "never forget" into something tangible. I am proud that we have now permanently authorized the 9/11 Victim Compensation Fund. This fund was created to support those who answered the Nation's call to help on 9/11 and in the months that followed that attack.

Now, nearly 18 years later, first responders from across the country are being diagnosed with cancers, respiratory diseases, and other illnesses because of their dangerous work on that day. For them, each day serves as a tragic reminder of the heartbreaking images most of us just witnessed on a television screen.

The legislation we passed today is the Never Forget the Heroes: Permanent Authorization of the 9/11 Victim Compensation Fund Act. As the name suggests, it permanently authorizes funding to support those American heroes who led lifesaving recovery operations following the attacks on 9/11. As I suggested, many of the diseases that affect these men and women, such as cancers and respiratory diseases, may not have become apparent for years after 9/11. It is the nature of these diseases.

Ensuring the longevity of this fund is critical to providing these heroes with the resources they need, whether that life-changing diagnosis comes today or 50 years from now. It is part of our commitment as Americans to support our first responders and the heroes who ran not away from but toward the danger on that fateful day.

Throughout my time in the Senate, I have worked to support our first responders who were there for our communities during the most difficult times. The 9/11 first responders represent the very best of America, and they deserve every ounce of assistance we are able to provide.

This legislation received 402 votes in the House of Representatives and 97 votes here in the Senate, something nearly unheard of these days. I appreciate our colleagues who have been

working to get this legislation passed to provide these men and women with some peace of mind. I am proud to be one of the cosponsors, and I am now glad it is headed to the President's desk for his signature.

#### PRESCRIPTION DRUG COSTS

Madam President, a survey last summer found that many Texans are struggling to afford the rising cost of their healthcare. Three out of five surveyed reported forgoing or postponing care because of the cost barrier. That includes cutting their pills in half, skipping doses, or not filling a prescription because they simply couldn't afford to do so. With healthcare costs on the rise, things aren't expected to get any easier unless we do something about it.

The Centers for Medicare and Medicaid Services estimated that between 2018 and 2027, customers can expect to see prescription drug spending increase by an average of 6.1 percent a year. That is a faster increase than hospital stays, doctors' visits, or any other healthcare expenditure. There seems to be bipartisan agreement that something must be done. But the real question is what that something is: What are your ideas about how to make that something a reality?

Many of our progressive Democratic friends have embraced Medicare for All as the solution to the problems that exist in our healthcare delivery system. Their proposal, though, would kick about 180 million Americans off of their private insurance and force them into one big government-run plan. It would drain the vital program that seniors have relied upon for more than a century and replace it with a watered-down version that would result in long waiting lines for inferior care. The government would tell you what clinic you had to go to, what doctor you could see, and what prescriptions you could actually take. You would lose your freedom and power to decide what is best for you and your family when it comes to your healthcare. You would have to simply take what you could get on somebody else's schedule.

Last but not least, Medicare for All would completely bankrupt our country. I think this approach is akin to having a pipe burst in your house, but instead of repairing it, tearing the whole thing down and rebuilding it from scratch. It is unaffordable. It is unpopular. It is unnecessary and goes against all logic.

Don't get me wrong. Our healthcare system is not perfect, but Medicare for All is actually worse, and it would create more problems than it would solve.

Instead, I support targeted reforms that have been offered by a number of our colleagues here—most on a bipartisan basis—to lower healthcare costs and to give people more choices in terms of what fits their needs the best. On Thursday, the Senate Finance Committee will be marking up a package of bills that will aim to reduce prescription drug costs for seniors and families. Last month, the Senate HELP Com-

mittee overwhelmingly passed a bipartisan bill to reduce out-of-pocket healthcare costs and increase transparency and eliminate surprise medical bills. A few weeks ago, the Senate Judiciary Committee, on which I serve, unanimously reported out legislation that would keep pharmaceutical companies from gaming the patent system.

All of these reforms are intended to repair the problems that exist without completely leveling the existing healthcare system. For example, the package that passed the Judiciary Committee included a proposal I introduced with our colleague from Connecticut, Senator BLUMENTHAL, called the Affordable Prescriptions for Patients Act. This bill takes aim at two practices often deployed by pharmaceutical companies to stomp out competition and protect their bottom line.

First, this bill targets a practice called product hopping. When a company is about to lose exclusivity of a product—that is, when their patent is about ready to run out—they often develop some sort of minor reformulation and then yank the original patented drug off the market. That prevents generic competition. There is no doubt that legitimate changes have warranted a new patent, but, too frequently, we are seeing this deployed as a strategy to box out generic competition.

About 90 percent of the drugs we all take are generic and not branded drugs under a patent. That means we get less expensive drugs that are just as effective as the original branded product. That is the way our system is supposed to work, by making generic drugs more readily available and affordable. By defining product hopping as anti-competitive behavior, the Federal Trade Commission would be able to take action against those who engage in this practice.

Our bill would also target something known as patent thicketing by limiting the patents companies can use to keep competitors away. Some drug companies like to layer on patent after patent in an attempt to make it virtually impossible for biosimilar manufacturers to bring a competing product to market. While the patent on the actual drug formula may have expired, there are still, in some cases, hundreds of other patents to sort through that discourage competition.

This bill would limit the number of patents these companies can use and streamline the litigation process so that companies are spending less time in the courtroom and, hopefully, more time in the laboratory developing life-saving innovative drugs. Competitors would be able to resolve patent disputes faster and bring their drugs to market sooner. Of course, better competition means better prices for patients.

It is also good news for taxpayers. Just last week, we received the cost estimate of this bill from the Congressional Budget Office, and they found it

would lower Federal spending by more than one-half billion dollars over 10 years. This is just the savings to the Federal Government under Medicare and Medicaid. There would undoubtedly be additional significant savings for consumers with private health insurance.

The Affordable Prescriptions for Patients Act does not prevent manufacturers from making improvements to their products, and it doesn't limit patent rights. It also doesn't hamper innovation, and it doesn't spend money we don't have on a system we don't really want. It simply stops those who knowingly game and abuse our patent system.

Our country is proudly a leader in pharmaceutical innovation, partly because we offer robust protection for intellectual property. When you create a new drug, you are granted a patent, an exclusive right to sell that drug for a period of years. But this legislation ensures that those who game the system—the bad actors—are no longer able to take advantage of these innovation protections in order to maintain their monopolies at the expense of the American people after their patent should have expired.

I believe there is more we can do to improve our healthcare system and bring down out-of-pocket costs for the American people, but instead of tearing down the whole house, let's make the repairs we actually need.

#### ORDER OF PROCEDURE

Mr. CORNYN. Madam President, I ask unanimous consent that notwithstanding rule XXII, the postcloture time on the Dickson nomination expire at 11 a.m. on Wednesday, July 24; further, that following the disposition of the Dickson nomination, the Senate vote on the cloture motions for the Berger and Buescher nominations; finally, that if cloture is invoked, the Senate vote on the confirmations of those nominations in the order listed at 3 p.m. and, if any of the nominations are confirmed, the motions to reconsider be considered made and laid on the table and the President be immediately notified of the Senate's action.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

#### LEGISLATIVE SESSION

#### MORNING BUSINESS

Mr. CORNYN. Madam President, I ask unanimous consent that the Senate proceed to legislative session and be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### NOMINATION OF ELIZABETH DARLING

Mr. WYDEN. Mr. President, today I am lifting my hold on the nomination

of Elizabeth Darling to be Commissioner on Children, Youth, and Families at the Department of Health and Human Services.

I will not object to any unanimous consent request concerning the nomination of Ms. Darling at this time. Please remove my hold from the back of the Executive Calendar in the section titled Notice of Intent to Object.

#### ADDITIONAL STATEMENTS

##### TRIBUTE TO STEVE ANTOLINE

• Mr. MANCHIN. Mr. President, it is an honor to recognize the legacy of Steve Antoline as fearless leader in business, a dedicated philanthropist, and a proud West Virginian who has made substantial contributions to our home State.

One of the greatest milestones we achieved when I was West Virginia's Governor was when the Boy Scouts of America committed to bringing a world-class scouting facility to the Mountain State, and Steve was a vital part of that process. Today, the Summit Bechtel Reserve is homebase every 4 years for tens of thousands of Boy Scouts from across the country. I assembled government officials, business leaders, and private volunteers into what I called the West Virginia Project Arrow Task Force in order to convince the National Executive Board of the Boy Scouts of America of what we already knew—that the ideal place for this facility was in the adventurous terrains and magnificent mountains of West Virginia. The Boy Scouts and West Virginia truly are a perfect match—an organization that builds character, inspires reverences, and promotes the values of hard work and compassion, and a State whose people live and breathe those values every day.

Steve was able to create and manage so many wonderful programs through the camp. He worked on the Reaching the Summit Boy Scout Community Service Initiative, organizing and garnering support for more than 34 projects that utilized countless hours of community service for Nicholas County. Also in Nicholas County, he serves as the chairman of the Young Life Wild Ridge Camp Executive Committee and also as a sponsor of the Young Life organization for the county. With Steve's input, Young Life is currently in the early stages of building the Wild Ridge Camp, which will host more than 22,000 children per year, providing educational opportunities to develop leadership skills, civic responsibility, and moral values.

As one of the founding fathers of the Summit Bechtel Reserve Scout Camp, I cannot think of a more fitting tribute to his legacy than the Steve Antoline Family Conservation Center and Trail. The coal from that property helped build the Panama Canal. The timber that from that property helped build

the boats that helped win WWII. It has so much historical value, and now it builds the tallest timber—our future leaders. And as Scouts walk by the newly dedicated bronze tribute in honor of Steve's legacy, it is my hope they are inspired by the man who has surrounded them with opportunities here in West Virginia.

The Conservation Center will offer hands-on exhibits, projects, and a laboratory for Scouts and youth to further understand and promote conservation efforts. This project is being designed and built by Steve, along with collaborative efforts from the Boy Scouts of America and West Virginia University.

Beyond the camp, Steve has contributed greatly to the surrounding region. He has founded and operated various companies that include operations in natural gas, production, excavation, contracting, property development and biosciences research companies. Among his many accomplishments for West Virginia is Superior Highwall Miners, Inc., a business based in Beckley that grew into the world's largest manufacturer of highwall mining equipment. His efforts brought in countless jobs and showcased West Virginia's vast potential across the globe.

Steve serves as cochairman of the new WVU Children's Hospital Building Campaign and also serves on the hospital's advisory board. He is the owner of New River Labs, LLC and KEM Research Group, LLC, a cancer research company performing state-of-the-art diagnostic services for esophageal, cervical, melanoma, pancreatic, prostate, and many other forms of cancer. At Summit Resources, Inc., Steve serves as owner and president, specializing on excavation, land management, and investment. Other organizations he has been involved with include the Remember the Miners Organization, the Norma Mae Huggins Cancer Research Foundation, Summersville Youth Athletics, Raleigh County, YMCA, Beckley Chamber of Commerce, and the Fayette and Nicholas County chapter of the American Red Cross.

Put simply, Steve is a West Virginian, through and through. He knows our communities inside and out and has strived throughout his endeavors to give back to the people of West Virginia, particularly to our future leaders. He has a passion for providing our State's youth with every opportunity possible to achieve success. With thanks to his efforts at Summit Bechtel and beyond, countless opportunities have been created and will continue to come to fruition in the days and years ahead.

I wish the very best for Steve and his family: his wife, Jamie; his children, Emily, Madison, and Kristopher; and his grandchildren Nina and Hunter. I am honored to join them and all West Virginians in celebrating Steve's lifelong commitment to excellence in the Mountain State.●

#### RECOGNIZING CHEMTRACK ALASKA

• Mr. SULLIVAN. Mr. President, this week, I have the opportunity to introduce the U.S. Senate Small Business of the Week. Small businesses provide essential services to our Nation's communities. In my home State of Alaska, I have seen firsthand small businesses that contribute to the local economy and step in when a community is in need. It is my honor to name ChemTrack Alaska of Anchorage, AK, as the Senate Small Business of the Week.

ChemTrack was founded as a construction company by Sig Jokiel in 1973. Shortly after its inception, the company shifted focus and rebranded itself into an environmental services and engineering company when Chuck Ronan joined the team in 1985. After studying business at the University of New Hampshire, Sig's daughter, Carrie, joined the company in 2002. Carrie, who became the company's majority partner in 2010, brought business expertise and project management skills to ChemTrack. Throughout the company's 46-year history, it has contracted with the U.S. Air Force, Alaska Railroad Corporation, Bureau of Indian Affairs, National Oceanic and Atmospheric Administration, BP, Exxon, and many other government institutions and businesses. In 2019, ChemTrack was awarded the Women-Owned Small Business of the Year Award by the SBA in recognition of its outstanding achievements.

ChemTrack's commitment to developing creative environmental engineering solutions enables the company to contribute to local projects in Alaska's great outdoors. As a successful contractor and a certified 8(a) economically disadvantaged woman-owned small business, ChemTrack has completed projects for both private businesses and government clients. ChemTrack helped clean up Alaska's shorelines after the Exxon Valdez oil spill in 1989 by developing innovative, barge-mounted sweeps to clean sea water. As a testament to ChemTrack's environmental stewardship, the company was awarded a basic ordering agreement by the U.S. Coast Guard in 2012, enabling them to provide containment cleanup and mitigate the harmful effects of oil spills and hazardous substance incidents all over the state of Alaska.

Carrie is renowned as an advocate for small businesses at both the Federal and State level. During her testimony in front of the Senate Committee on Small Business and Entrepreneurship in June 2018, Carrie discussed the SBA's contracting programs and provided insight on her experience operating a woman-owned small business. As a graduate of the SBA Emerging Leaders program, Carrie is very active in her community and even mentors other Alaskan businesses through the Women's Power League of Alaska. Carrie's distinction as a local leader is evidenced by her inclusion in the Alaska



Journal of Commerce's Top 40 Under 40 list of 2014 and her selection as the 2018 Entprising Women of the Year Award.

Back home in Alaska, Carrie serves on the Associated General Contractors board of directors, as well as the Boards for Women Impacting Public Policy and the Alaska State Hockey Association. She also completed a 6-year term with YWCA, where she served as president for 2 years, and is a member of the Society of American Military Engineers and National Contracting Management Association. Carrie's abilities as an athlete complement her business skills. She was inducted into the Sports Hall of Fame at the University of New Hampshire in 2014 and served as an Ambassador for Women's Ice Hockey in Fast and Female International Program.

ChemTrack has successfully pursued a two-pronged mission of profit and stewardship. By employing its engineering proficiency to aid in disaster recovery, ChemTrack has shown us what can be achieved when individuals and businesses apply their specific skills to help better their community.

ChemTrack has grown from a small construction company to a successful environmental engineering contractor with a clear track record of community involvement. I am honored to recognize Carrie and the entire team at ChemTrack Alaska as the Senate Small Business of the Week, and I look forward to watching your continued growth and success.●

#### TRIBUTE TO MAHLON PAUL MANSON

● Mr. TESTER. Mr. President, I rise today to honor Mahlon Paul Manson, a Montanan and decorated veteran of the Vietnam war.

Montanans and all Americans owe Paul the deepest gratitude for his service to this Nation.

Paul was born in San Diego, CA, on September 17, 1948. When he was in first grade, his mother and three sisters moved to Deer Lodge, MT, where he spent his youth. Paul completed high school in 1967 and enlisted in the Army immediately following graduation.

During the summer of 1967, Paul worked for the Forest Service shortly before starting military training at Fort Lewis, WA. He also received advanced training to be a combat engineer at Fort Leonard Wood, MO.

Before leaving for Vietnam, Paul returned home for 2 weeks where he got a glimpse into the strength of shared ideals. When he landed at the airport, his bus was not scheduled to arrive for 6 more hours. Not one to wait idly by, Paul decided to try his luck hitchhiking home.

In a moment of serendipity and brotherhood, a military car driving by saw Paul walking along the side of the road in his uniform, offered to give him a ride, and drove him home. This mo-

ment left a deep and lasting impact on Paul, who felt an instant bond with his fellow servicemembers.

Paul arrived in Vietnam in early 1968 with this sentiment in mind. That year, he fought—and survived—a number of attacks, including one of the largest military campaigns of the Vietnam war, the Tet Offensive.

He also showed incredible courage when his convoy came under attack near Lai Khe. While heavily engaged with the enemy, Paul put his own life on the line by jumping out of his military vehicle to encourage the convoy to keep moving. His heroic act helped the U.S. facilitate a counterattack against the Viet Cong, ultimately clinching an important victory. Paul's heroism did not go without recognition—he received a Bronze Star, with a "V" for Valor on August 20, 1968 for his leadership.

After retiring from Active Duty in 1970, Paul returned to Montana to work for the Milwaukee Railroad. He also continued his devotion to service by becoming a recruiter for the Montana National Guard.

When he retired from the Army, Paul attended the University of Montana. He graduated in 1996 and began working for U.S. Customs and Border Protection in Missoula and Sweet Grass and in Washington State as a Port Director. In total, Paul has given the Nation over 20 years of Federal Service and continues to serve the Nation in a different capacity today, as a volunteer for Team Rubicon.

Paul and his wife, Fran, have been happily married for 48 years. Together, they have a son, Mahlon Patrick, and a daughter, Michelle, as well as two grandchildren.

Although Paul has undeniably led an eventful life, he humbly maintains that he is simply doing his job. "Life is a buffet" he says, a perfect idiom for how he is able to make the most of the opportunities that come his way.

I have the profound honor of presenting Paul with his military honor. For his bravery in the line of duty, Mahlon Paul Manson is receiving a Bronze Star Medal with a "V" for Valor. This medal serves as a small token of our country's appreciation for his service and profound sacrifice. Paul is an American hero and has made Montana proud.●

#### MESSAGE FROM THE PRESIDENT

A message from the President of the United States was communicated to the Senate by Ms. Roberts, one of his secretaries.

#### EXECUTIVE MESSAGE REFERRED

As in executive session the Presiding Officer laid before the Senate a message from the President of the United States submitting a nomination which was referred to the Committee on Armed Services.

(The message received today is printed at the end of the Senate proceedings.)

#### MESSAGE FROM THE HOUSE

At 10:02 a.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that pursuant to 29 U.S.C. 780, the Minority Leader appoints the following member to the National Council on Disability: Mr. Jim Baldwin of Bakersfield, California.

#### REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. BARRASSO, from the Committee on Environment and Public Works:

Report to accompany S. 349, a bill to require the Secretary of Transportation to request nominations for, and make determinations regarding, roads to be designated under the national scenic byways program, and for other purposes (Rept. No. 116-61).

Report to accompany S. 1014, a bill to establish the Route 66 Centennial Commission, and for other purposes (Rept. No. 116-62).

Report to accompany S. 1689, a bill to permit States to transfer certain funds from the clean water revolving fund of a State to the drinking water revolving fund of the State in certain circumstances, and for other purposes (Rept. No. 116-63).

Report to accompany S. 1833, a bill to transfer a bridge over the Wabash River to the New Harmony River Bridge Authority and the New Harmony and Wabash River Bridge Authority, and for other purposes (Rept. No. 116-64).

By Mr. GRAHAM, from the Committee on the Judiciary, with an amendment in the nature of a substitute:

S. 1883. A bill to improve the prohibitions on money laundering, and for other purposes.

#### INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. BLUNT (for himself, Ms. KLOBUCHAR, Mr. GARDNER, and Ms. CORTEZ MASTO):

S. 2203. A bill to extend the transfer of Electronic Travel Authorization System fees from the Travel Promotion Fund to the Corporation for Travel Promotion (Brand USA) through fiscal year 2027, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. CRAPO (for himself and Ms. KLOBUCHAR):

S. 2204. A bill to allow the Federal Communications Commission to carry out a pilot program under which voice service providers could block certain automated calls, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. CASEY (for himself, Mr. BROWN, Mr. KAINE, Mr. WARNER, and Mr. MANCHIN):

S. 2205. A bill to ensure that claims for benefits under the Black Lung Benefits Act are processed in a fair and timely manner, to better protect miners from pneumoconiosis (commonly known as "black lung disease"), and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. TILLIS (for himself and Mr. DURBIN):

S. 2206. A bill to express the sense of Congress regarding restoration and maintenance of the Mardasson Memorial in Bastogne, Belgium; to the Committee on Energy and Natural Resources.



By Ms. HASSAN (for herself and Mr. TILLIS):

S. 2207. A bill to amend the Internal Revenue Code of 1986 to expand refundability and increase simplification of the research credit for certain small businesses; to the Committee on Finance.

By Mr. SCOTT of Florida:

S. 2208. A bill to require online retailers to prominently disclose product country-of-origin information, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mrs. HYDE-SMITH (for herself and Mr. KENNEDY):

S. 2209. A bill to amend the Magnuson-Stevens Fishery Conservation and Management Act to establish a safety net program for commercial fishermen and aquaculture producers; to the Committee on Commerce, Science, and Transportation.

By Ms. DUCKWORTH (for herself and Mr. DURBIN):

S. 2210. A bill to amend the Federal Water Pollution Control Act to prohibit sewage dumping into the Great Lakes, and for other purposes; to the Committee on Environment and Public Works.

By Mr. MANCHIN:

S. 2211. A bill to amend title 40, United States Code, to authorize the expansion of the Appalachian development highway system; to the Committee on Environment and Public Works.

By Mr. RUBIO (for himself and Mr. SULLIVAN):

S. 2212. A bill to require the Commandant of the Coast Guard to take certain steps to improve Coast Guard shore infrastructure, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. GARDNER (for himself and Mr. BENNET):

S. 2213. A bill to require the Secretary of Transportation to repay the credit risk premiums paid with respect to certain railroad infrastructure loans after the obligations attached to such loans have been satisfied; to the Committee on Commerce, Science, and Transportation.

By Ms. COLLINS (for herself and Mr. CARDIN):

S. 2214. A bill to amend the Internal Revenue Code of 1986 to provide a better defined recruitment and retention incentive program for volunteer emergency service workers; to the Committee on Finance.

By Mr. BOOKER (for himself and Ms. WARREN):

S. 2215. A bill to prohibit agreements between employers that directly restrict the current or future employment of any employee; to the Committee on Health, Education, Labor, and Pensions.

By Mr. PETERS (for himself and Mrs. BLACKBURN):

S. 2216. A bill to require the Secretary of Veterans Affairs to formally recognize caregivers of veterans, notify veterans and caregivers of clinical determinations relating to eligibility for caregiver programs, and temporarily extend benefits for veterans who are determined ineligible for the family caregiver program, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. CASEY:

S. 2217. A bill to amend the Fair Labor Standards Act of 1938 to provide that over-the-road bus drivers are covered under the maximum hours requirements; to the Committee on Health, Education, Labor, and Pensions.

By Ms. HIRONO (for herself and Mr. SCHATZ):

S. 2218. A bill to amend title IV of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 to restore Medicaid coverage for citizens of the Freely As-

sociated States lawfully residing in the United States under the Compacts of Free Association between the Government of the United States and the Governments of the Federated States of Micronesia, the Republic of the Marshall Islands, and the Republic of Palau; to the Committee on Finance.

By Ms. HARRIS (for herself, Mr. BLUMENTHAL, Ms. WARREN, Mrs. GILLIBRAND, Mr. MARKEY, and Mr. MERKLEY):

S. 2219. A bill to clarify the rights of all persons who are held or detained at a port of entry or at any detention facility overseen by U.S. Customs and Border Protection or U.S. Immigration and Customs Enforcement; to the Committee on the Judiciary.

By Mr. GRASSLEY (for himself, Mr. LEAHY, Mr. CORNYN, and Mrs. FEINSTEIN):

S. 2220. A bill to modify the exemption for trade secrets and commercial or financial information in the Freedom of Information Act, and for other purposes; to the Committee on the Judiciary.

By Ms. HARRIS:

S. 2221. A bill to prohibit the expansion of immigration detention facilities, to improve the oversight of such facilities, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. BRAUN:

S. 2222. A bill to prohibit the Export-Import Bank of the United States from providing financing to persons with seriously delinquent tax debt; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. GARDNER (for himself, Ms. HASSAN, Mr. RUBIO, Ms. CORTEZ MASTO, Mrs. CAPITO, Ms. BALDWIN, and Mr. DAINES):

S. 2223. A bill to facilitate a national pipeline of spectrum for commercial use, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. BLUMENTHAL (for himself and Mr. CRUZ):

S. 2224. A bill to amend section 214(c)(8) of the Immigration and Nationality Act to modify the data reporting requirements relating to nonimmigrant employees, and for other purposes; to the Committee on the Judiciary.

By Ms. HARRIS (for herself, Mrs. FEINSTEIN, and Ms. WARREN):

S. 2225. A bill to provide for the basic needs of students at institutions of higher education; to the Committee on Health, Education, Labor, and Pensions.

By Ms. KLOBUCHAR (for herself, Mr. CASEY, Mr. COONS, Mrs. FEINSTEIN, Ms. SMITH, Mr. VAN HOLLEN, and Mr. SANDERS):

S. 2226. A bill to require States to carry out congressional redistricting in accordance with plans developed and enacted into law by independent redistricting commissions, and for other purposes; to the Committee on the Judiciary.

By Ms. HARRIS (for herself, Mr. BOOKER, Mr. MERKLEY, Mr. WYDEN, and Ms. WARREN):

S. 2227. A bill to decriminalize and deschedule cannabis, to provide for reinvestment in certain persons adversely impacted by the War on Drugs, to provide for expungement of certain cannabis offenses, and for other purposes; to the Committee on Finance.

By Mr. PORTMAN (for himself, Mr. BROWN, Mr. COTTON, Mr. CORNYN, and Mr. CRUZ):

S. 2228. A bill to posthumously advance Lieutenant Colonel Richard E. Cole, United States Air Force, to colonel on the retired list; to the Committee on Armed Services.

By Mr. DAINES (for himself and Ms. KLOBUCHAR):

S. 2229. A bill to protect consumers from deceptive practices with respect to online booking of hotel reservations, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. MURPHY:

S. 2230. A bill to amend the Internal Revenue Code of 1986 to increase the dollar limitation on the exclusion for employer-provided dependent care assistance; to the Committee on Finance.

By Mr. BOOKER:

S. 2231. A bill to establish American opportunity accounts, to modify estate and gift tax rules, to reform the taxation of capital income, and for other purposes; to the Committee on Finance.

By Ms. KLOBUCHAR:

S. 2232. A bill to amend the Federal Election Campaign Act of 1971 to reduce the number of members of the Federal Election Commission from 6 to 5, to revise the method of selection and terms of service of members of the Commission, to distribute the powers of the Commission between the Chair and the remaining members, and for other purposes; to the Committee on Rules and Administration.

By Mr. SCHATZ (for himself, Mr. DURBIN, Mrs. MURRAY, Mrs. FEINSTEIN, Mr. REED, Mr. BROWN, Mr. BOOKER, Mr. BLUMENTHAL, Mrs. GILLIBRAND, Mr. KAINE, Mr. BENNET, Ms. KLOBUCHAR, Ms. HIRONO, and Ms. DUCKWORTH):

S. 2233. A bill to nullify the effect of the recent executive order that requires Federal agencies to share citizenship data; to the Committee on Homeland Security and Governmental Affairs.

By Mr. ROUNDS (for himself and Mr. PETERS):

S. 2234. A bill to establish a consortia of universities to advise the Secretary of Defense on cybersecurity matters, and for other purposes; to the Committee on Armed Services.

By Ms. WARREN:

S. 2235. A bill to discharge the qualified loan amounts of each individual, and for other purposes; to the Committee on Finance.

By Mr. BOOKER (for himself, Ms. HARRIS, Mr. BLUMENTHAL, Mr. MARKEY, Mr. UDALL, Mr. DURBIN, Ms. DUCKWORTH, Mr. SANDERS, Mr. MERKLEY, Ms. WARREN, Mr. CARPER, Mr. SCHATZ, and Mr. VAN HOLLEN):

S. 2236. A bill to require Federal agencies to address environmental justice, to require consideration of cumulative impacts in certain permitting decisions, and for other purposes; to the Committee on Environment and Public Works.

By Ms. KLOBUCHAR (for herself and Mr. BLUMENTHAL):

S. 2237. A bill to authorize the Department of Justice and the Federal Trade Commission to seek civil monetary penalties to deter violations of section 2 of the Sherman Act, and for other purposes; to the Committee on the Judiciary.

By Ms. KLOBUCHAR (for herself and Mr. WYDEN):

S. 2238. A bill to protect elections for public office by providing financial support and enhanced security for the infrastructure used to carry out such elections, and for other purposes; to the Committee on Rules and Administration.

By Ms. KLOBUCHAR:

S. 2239. A bill to codify an Executive order preparing the United States for the impacts of climate change, and for other purposes; to the Committee on Environment and Public Works.

By Ms. KLOBUCHAR (for herself, Mr. BENNET, Ms. SMITH, and Mr. PETERS):

S. 2240. A bill to promote digital citizenship and media literacy; to the Committee on Health, Education, Labor, and Pensions.

By Mr. HEINRICH (for himself and Ms. MCSALLY):

S. 2241. A bill to provide for a study on the protection of Native American seeds and traditional foods, and for other purposes; to the Committee on Indian Affairs.

By Mr. WARNER (for himself, Mrs. SHAHEEN, Mr. REED, Mr. KING, Mr. BENNET, and Ms. HARRIS):

S. 2242. A bill to amend the Federal Election Campaign Act of 1971 to clarify the obligation to report acts of foreign election influence and require implementation of compliance and reporting systems by presidential campaigns to detect and report such acts; to the Committee on Rules and Administration.

#### SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. GRAHAM (for himself, Mr. GRASSLEY, Mr. CORNYN, Mr. LEE, Mr. CRUZ, Mr. SASSE, Mr. HAWLEY, Mr. TILLIS, Ms. ERNST, Mr. CRAPO, Mr. KENNEDY, and Mrs. BLACKBURN):

S. Res. 280. A resolution commending the officers and personnel of U.S. Customs and Border Protection for their work during the crisis at the Southern border; to the Committee on Homeland Security and Governmental Affairs.

By Mr. BOOKER (for himself and Ms. HARRIS):

S. Res. 281. A resolution committing to elevate the voices, leadership, and needs of communities that face systemic barriers in the effort to end sexual violence and support all survivors of sexual violence and gender-based violence, including immigrant survivors, survivors who are incarcerated, survivors with disabilities, survivors of color, American Indian or Alaska Native survivors, survivors of child sexual abuse, and lesbian, gay, bisexual, transgender, queer, and intersex survivors; to the Committee on Health, Education, Labor, and Pensions.

By Mr. DURBIN (for himself, Ms. DUCKWORTH, Mr. MCCONNELL, Mr. SCHUMER, Mr. GRAHAM, Mrs. FEINSTEIN, Mr. ALEXANDER, Ms. BALDWIN, Mr. BARRASSO, Mr. BENNET, Mrs. BLACKBURN, Mr. BLUMENTHAL, Mr. BLUNT, Mr. BOOKER, Mr. BOOZMAN, Mr. BRAUN, Mr. BROWN, Mr. BURR, Ms. CANTWELL, Mrs. CAPITO, Mr. CARDIN, Mr. CARPER, Mr. CASEY, Mr. CASSIDY, Ms. COLLINS, Mr. COONS, Mr. CORNYN, Ms. CORTEZ MASTO, Mr. COTTON, Mr. CRAMER, Mr. CRAPO, Mr. CRUZ, Mr. DAINES, Mr. ENZI, Ms. ERNST, Mrs. FISCHER, Mr. GARDNER, Mrs. GILLIBRAND, Mr. GRASSLEY, Ms. HARRIS, Ms. HASSAN, Mr. HAWLEY, Mr. HEINRICH, Ms. HIRONO, Mr. HOEVEN, Mrs. HYDE-SMITH, Mr. INHOFE, Mr. ISAKSON, Mr. JOHNSON, Mr. JONES, Mr. KAINE, Mr. KENNEDY, Mr. KING, Ms. KLOBUCHAR, Mr. LANKFORD, Mr. LEAHY, Mr. LEE, Mr. MANCHIN, Mr. MARKEY, Ms. MCSALLY, Mr. MENENDEZ, Mr. MERKLEY, Mr. MORAN, Ms. MURKOWSKI, Mr. MURPHY, Mrs. MURRAY, Mr. PAUL, Mr. PERDUE, Mr. PETERS, Mr. PORTMAN, Mr. REED, Mr. RISCH, Mr. ROBERTS, Mr. ROMNEY, Ms. ROSEN, Mr. ROUNDS, Mr. RUBIO, Mr. SANDERS, Mr. SASSE, Mr. SCHATZ, Mr. SCOTT of Florida, Mr. SCOTT of South Carolina, Mrs. SHAHEEN, Mr.

SHELBY, Ms. SINEMA, Ms. SMITH, Ms. STABENOW, Mr. SULLIVAN, Mr. TESTER, Mr. THUNE, Mr. TILLIS, Mr. TOOMEY, Mr. UDALL, Mr. VAN HOLLEN, Mr. WARNER, Ms. WARREN, Mr. WHITEHOUSE, Mr. WICKER, Mr. WYDEN, and Mr. YOUNG):

S. Res. 282. A resolution honoring former Associate Justice John Paul Stevens of the Supreme Court of the United States; considered and agreed to.

#### ADDITIONAL COSPONSORS

S. 102

At the request of Mr. SANDERS, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 102, a bill to significantly lower prescription drug prices for patients in the United States by ending government-granted monopolies for manufacturers who charge drug prices that are higher than the median prices at which the drugs are available in other countries.

S. 157

At the request of Mr. CRUZ, the name of the Senator from Florida (Mr. SCOTT) was added as a cosponsor of S. 157, a bill to amend the Internal Revenue Code of 1986 to permit kindergarten through grade 12 educational expenses to be paid from a 529 account.

S. 265

At the request of Mr. RUBIO, the name of the Senator from Texas (Mr. CORNYN) was added as a cosponsor of S. 265, a bill to develop a national strategy to prevent targeted violence through behavioral threat assessment and management, and for other purposes.

S. 283

At the request of Mr. CARDIN, the name of the Senator from New Jersey (Mr. MENENDEZ) was added as a cosponsor of S. 283, a bill to amend title XVIII of the Social Security Act to improve access to, and utilization of, bone mass measurement benefits under part B of the Medicare program by establishing a minimum payment amount under such part for bone mass measurement.

S. 331

At the request of Ms. CORTEZ MASTO, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 331, a bill to amend the Home Mortgage Disclosure Act of 1975 to modify the exemptions from certain disclosure requirements.

S. 430

At the request of Mr. CRAPO, the names of the Senator from New Mexico (Mr. HEINRICH) and the Senator from West Virginia (Mrs. CAPITO) were added as cosponsors of S. 430, a bill to extend the Secure Rural Schools and Community Self-Determination Act of 2000.

S. 473

At the request of Mr. BOOKER, the name of the Senator from Michigan (Mr. PETERS) was added as a cosponsor of S. 473, a bill to amend title 5, United States Code, to include certain Federal positions within the definition of law enforcement officer for retirement purposes, and for other purposes.

S. 481

At the request of Ms. KLOBUCHAR, the name of the Senator from Minnesota (Ms. SMITH) was added as a cosponsor of S. 481, a bill to encourage States to require the installation of residential carbon monoxide detectors in homes, and for other purposes.

S. 518

At the request of Ms. CANTWELL, the name of the Senator from Virginia (Mr. KAINE) was added as a cosponsor of S. 518, a bill to amend title XVIII of the Social Security Act to provide for Medicare coverage of certain lymphedema compression treatment items as items of durable medical equipment.

S. 524

At the request of Mr. TESTER, the name of the Senator from Minnesota (Ms. SMITH) was added as a cosponsor of S. 524, a bill to establish the Department of Veterans Affairs Advisory Committee on Tribal and Indian Affairs, and for other purposes.

S. 546

At the request of Mr. CRUZ, his name was added as a cosponsor of S. 546, a bill to extend authorization for the September 11th Victim Compensation Fund of 2001 through fiscal year 2090, and for other purposes.

S. 569

At the request of Mr. YOUNG, the name of the Senator from Texas (Mr. CRUZ) was added as a cosponsor of S. 569, a bill to direct the Secretary of Transportation to issue regulations relating to commercial motor vehicle drivers under the age of 21, and for other purposes.

S. 595

At the request of Mr. CASSIDY, the name of the Senator from Mississippi (Mr. WICKER) was added as a cosponsor of S. 595, a bill to amend title XVIII of the Social Security Act to provide for the coordination of programs to prevent and treat obesity, and for other purposes.

S. 638

At the request of Mr. CARPER, the name of the Senator from New Jersey (Mr. MENENDEZ) was added as a cosponsor of S. 638, a bill to require the Administrator of the Environmental Protection Agency to designate per- and polyfluoroalkyl substances as hazardous substances under the Comprehensive Environmental Response, Compensation, Liability Act of 1980, and for other purposes.

S. 803

At the request of Mr. TOOMEY, the name of the Senator from Florida (Mr. RUBIO) was added as a cosponsor of S. 803, a bill to amend the Internal Revenue Code of 1986 to restore incentives for investments in qualified improvement property.

S. 814

At the request of Mrs. SHAHEEN, the name of the Senator from Mississippi (Mr. WICKER) was added as a cosponsor of S. 814, a bill to amend title XVIII of

the Social Security Act to improve access to diabetes outpatient self-management training services, and for other purposes.

S. 921

At the request of Mr. UDALL, the name of the Senator from New Jersey (Mr. MENENDEZ) was added as a cosponsor of S. 921, a bill to prohibit the use of chlorpyrifos on food, to prohibit the registration of pesticides containing chlorpyrifos, and for other purposes.

S. 976

At the request of Mrs. GILLIBRAND, the name of the Senator from Arizona (Ms. MCSALLY) was added as a cosponsor of S. 976, a bill to amend the Higher Education Act of 1965 and the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act to combat campus sexual assault, and for other purposes.

S. 997

At the request of Ms. WARREN, the name of the Senator from Arizona (Ms. MCSALLY) was added as a cosponsor of S. 997, a bill to recognize and honor the service of individuals who served in the United States Cadet Nurse Corps during World War II, and for other purposes.

S. 1039

At the request of Mr. UDALL, the name of the Senator from Virginia (Mr. WARNER) was added as a cosponsor of S. 1039, a bill to limit the use of funds for kinetic military operations in or against Iran.

S. 1086

At the request of Mr. BOOKER, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 1086, a bill to establish certain duties for pharmacies to ensure provision of Food and Drug Administration-approved contraception, medication related to contraception, and for other purposes.

S. 1102

At the request of Mr. MENENDEZ, the name of the Senator from Arizona (Ms. MCSALLY) was added as a cosponsor of S. 1102, a bill to promote security and energy partnerships in the Eastern Mediterranean, and for other purposes.

S. 1141

At the request of Ms. STABENOW, the names of the Senator from New Hampshire (Mrs. SHAHEEN) and the Senator from Mississippi (Mr. WICKER) were added as cosponsors of S. 1141, a bill to provide predictability and certainty in the tax law, create jobs, and encourage investment.

S. 1168

At the request of Mr. BLUNT, the name of the Senator from Florida (Mr. SCOTT) was added as a cosponsor of S. 1168, a bill to amend the Higher Education Act of 1965 to ensure campus access at public institutions of higher education for religious groups.

S. 1191

At the request of Ms. COLLINS, the name of the Senator from Connecticut (Mr. MURPHY) was added as a cosponsor

of S. 1191, a bill to reauthorize section 340H of the Public Health Service Act to continue to encourage the expansion, maintenance, and establishment of approved graduate medical residency programs at qualified teaching health centers, and for other purposes.

S. 1243

At the request of Mr. BOOKER, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. 1243, a bill to provide standards for facilities at which aliens in the custody of the Department of Homeland Security are detained, and for other purposes.

S. 1253

At the request of Mrs. FEINSTEIN, the name of the Senator from Arkansas (Mr. BOOZMAN) was added as a cosponsor of S. 1253, a bill to apply requirements relating to delivery sales of cigarettes to delivery sales of electronic nicotine delivery systems, and for other purposes.

S. 1254

At the request of Mr. YOUNG, the names of the Senator from North Carolina (Mr. BURR) and the Senator from Wisconsin (Ms. BALDWIN) were added as cosponsors of S. 1254, a bill to require the Secretary of Transportation to review and report on certain laws, safety measures, and technologies relating to the illegal passing of school buses, and for other purposes.

S. 1499

At the request of Mr. UDALL, the name of the Senator from New Hampshire (Mrs. SHAHEEN) was added as a cosponsor of S. 1499, a bill to establish National Wildlife Corridors to provide for the protection and restoration of certain native fish, wildlife, and plant species, and for other purposes.

S. 1528

At the request of Mr. MURPHY, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 1528, a bill to amend title 31, United States Code, to provide for the issuance of Green Bonds and to establish the United States Green Bank, and for other purposes.

S. 1572

At the request of Mr. PORTMAN, the name of the Senator from Wisconsin (Ms. BALDWIN) was added as a cosponsor of S. 1572, a bill to amend the Higher Education Act of 1965 to require additional reporting on crime and harm that occurs during student participation in programs of study abroad, and for other purposes.

S. 1575

At the request of Mr. PORTMAN, the name of the Senator from Wisconsin (Ms. BALDWIN) was added as a cosponsor of S. 1575, a bill to direct the Secretary of State to make available to the Director of the Centers for Disease Control and Prevention copies of consular reports of death of United States citizens, and for other purposes.

S. 1590

At the request of Mr. MERKLEY, the name of the Senator from Rhode Island

(Mr. WHITEHOUSE) was added as a cosponsor of S. 1590, a bill to amend the State Department Basic Authorities Act of 1956 to authorize rewards for thwarting wildlife trafficking linked to transnational organized crime, and for other purposes.

S. 1625

At the request of Mr. WICKER, the names of the Senator from West Virginia (Mrs. CAPITO) and the Senator from Nebraska (Mrs. FISCHER) were added as cosponsors of S. 1625, a bill to promote the deployment of commercial fifth-generation mobile networks and the sharing of information with communications providers in the United States regarding security risks to the networks of those providers, and for other purposes.

S. 1728

At the request of Mr. MARKEY, the names of the Senator from Mississippi (Mr. WICKER) and the Senator from Nevada (Ms. ROSEN) were added as cosponsors of S. 1728, a bill to require the United States Postal Service to sell the Alzheimer's semipostal stamp for 6 additional years.

S. 1737

At the request of Mr. MURPHY, the names of the Senator from Mississippi (Mr. WICKER) and the Senator from Minnesota (Ms. KLOBUCHAR) were added as cosponsors of S. 1737, a bill to strengthen parity in mental health and substance use disorder benefits.

S. 1773

At the request of Mr. SANDERS, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 1773, a bill to amend titles XVIII and XIX of the Social Security Act to make improvements to the treatment of the United States territories under the Medicare and Medicaid programs, and for other purposes.

S. 1822

At the request of Mr. WICKER, the names of the Senator from Montana (Mr. TESTER), the Senator from Illinois (Ms. DUCKWORTH), the Senator from New Mexico (Mr. UDALL), the Senator from Massachusetts (Mr. MARKEY), the Senator from Tennessee (Mrs. BLACKBURN) and the Senator from Nebraska (Mrs. FISCHER) were added as cosponsors of S. 1822, a bill to require the Federal Communications Commission to issue rules relating to the collection of data with respect to the availability of broadband services, and for other purposes.

S. 1863

At the request of Mr. DURBIN, the name of the Senator from Illinois (Ms. DUCKWORTH) was added as a cosponsor of S. 1863, a bill to require the Secretary of the Interior to conduct a special resource study of the sites associated with the life and legacy of the noted American philanthropist and business executive Julius Rosenwald, with a special focus on the Rosenwald Schools, and for other purposes.

S. 1906

At the request of Mr. BOOZMAN, the names of the Senator from Nevada (Ms.

ROSEN) and the Senator from Minnesota (Ms. SMITH) were added as cosponsors of S. 1906, a bill to require the Secretary of Veterans Affairs to provide financial assistance to eligible entities to provide and coordinate the provision of suicide prevention services for veterans at risk of suicide and veteran families through the award of grants to such entities, and for other purposes.

S. 1918

At the request of Mr. BOOZMAN, the name of the Senator from Montana (Mr. TESTER) was added as a cosponsor of S. 1918, a bill to amend the Richard B. Russell National School Lunch Act to require alternative options for summer food service program delivery.

S. 1936

At the request of Mrs. BLACKBURN, the name of the Senator from Hawaii (Mr. SCHATZ) was added as a cosponsor of S. 1936, a bill to amend title XVIII of the Social Security Act to protect coverage for screening mammography, and for other purposes.

S. 2041

At the request of Ms. CORTEZ MASTO, the name of the Senator from New Mexico (Mr. HEINRICH) was added as a cosponsor of S. 2041, a bill to establish the Green Spaces, Green Vehicles Initiative to facilitate the installation of zero-emissions vehicle infrastructure on National Forest System land, National Park System land, and certain related land, and for other purposes.

S. 2043

At the request of Mr. BLUMENTHAL, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. 2043, a bill to provide incentives for hate crime reporting, provide grants for State-run hate crime hotlines, and establish alternative sentencing for individuals convicted under the Matthew Shephard and James Byrd, Jr. Hate Crimes Prevention Act.

S. 2068

At the request of Mr. BOOKER, the names of the Senator from California (Ms. HARRIS), the Senator from Connecticut (Mr. BLUMENTHAL), the Senator from Minnesota (Ms. SMITH) and the Senator from Minnesota (Ms. KLOBUCHAR) were added as cosponsors of S. 2068, a bill to prohibit the Bureau of the Census from including citizenship data in the legislative redistricting data prepared by the Bureau.

S. 2072

At the request of Mr. TESTER, the name of the Senator from New Jersey (Mr. MENENDEZ) was added as a cosponsor of S. 2072, a bill to provide for an increase, effective December 1, 2019, in the rates of compensation for veterans with service-connected disabilities and the rates of dependency and indemnity compensation for the survivors of certain disabled veterans, and for other purposes.

S. 2080

At the request of Ms. BALDWIN, the names of the Senator from Wyoming

(Mr. BARRASSO) and the Senator from Rhode Island (Mr. REED) were added as cosponsors of S. 2080, a bill to amend the Public Health Service Act to increase the number of permanent faculty in palliative care at accredited allopathic and osteopathic medical schools, nursing schools, social work schools, and other programs, including physician assistant education programs, to promote education and research in palliative care and hospice, and to support the development of faculty careers in academic palliative medicine.

S. 2103

At the request of Mr. DURBIN, the name of the Senator from Mississippi (Mrs. HYDE-SMITH) was added as a cosponsor of S. 2103, a bill to improve access to affordable insulin.

S. 2112

At the request of Ms. HARRIS, the name of the Senator from New York (Mr. SCHUMER) was added as a cosponsor of S. 2112, a bill to enhance the rights of domestic workers, and for other purposes.

S. 2147

At the request of Ms. COLLINS, the name of the Senator from Florida (Mr. RUBIO) was added as a cosponsor of S. 2147, a bill to double the existing penalties for the provision of misleading or inaccurate caller identification information, and to extend the statute of limitations for forfeiture penalties for persons who commit such violations.

S. 2165

At the request of Mr. HEINRICH, the names of the Senator from Arizona (Ms. SINEMA) and the Senator from Alaska (Mr. SULLIVAN) were added as cosponsors of S. 2165, a bill to enhance protections of Native American tangible cultural heritage, and for other purposes.

S. 2179

At the request of Mr. CARDIN, the names of the Senator from Rhode Island (Mr. REED) and the Senator from Connecticut (Mr. BLUMENTHAL) were added as cosponsors of S. 2179, a bill to amend the Older Americans Act of 1965 to provide social service agencies with the resources to provide services to meet the urgent needs of Holocaust survivors to age in place with dignity, comfort, security, and quality of life.

S. 2185

At the request of Mr. MERKLEY, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 2185, a bill to provide labor standards for certain energy jobs, and for other purposes.

S. 2193

At the request of Mr. PETERS, the name of the Senator from Ohio (Mr. PORTMAN) was added as a cosponsor of S. 2193, a bill to require the Administrator of General Services to issue guidance to clarify that Federal agencies may pay by charge card for the charging of Federal electric motor vehicles, and for other purposes.

S. RES. 80

At the request of Mr. COONS, the name of the Senator from Michigan (Mr. PETERS) was added as a cosponsor of S. Res. 80, a resolution establishing the John S. McCain III Human Rights Commission.

S. RES. 252

At the request of Mr. GRAHAM, the name of the Senator from Mississippi (Mr. WICKER) was added as a cosponsor of S. Res. 252, a resolution designating September 2019 as National Democracy Month as a time to reflect on the contributions of the system of government of the United States to a more free and stable world.

S. RES. 263

At the request of Mr. BRAUN, the names of the Senator from Massachusetts (Ms. WARREN), the Senator from Arizona (Ms. SINEMA), the Senator from Iowa (Ms. ERNST) and the Senator from Arizona (Ms. MCSALLY) were added as cosponsors of S. Res. 263, a resolution honoring the 100th anniversary of The American Legion.

#### STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Ms. COLLINS (for herself and Mr. CARDIN):

S. 2214. A bill to amend the Internal Revenue Code of 1986 to provide a better defined recruitment and retention incentive program for volunteer emergency service workers; to the Committee on Finance.

Ms. COLLINS. Mr. President, I rise to introduce a bill with my friend and colleague from Maryland, Senator CARDIN, that will benefit the brave women and men who volunteer as emergency personnel: The Volunteer Emergency Services Recruitment and Retention Act.

Across our Nation, volunteer emergency personnel play a critical role in ensuring the safety of our communities and the well-being of our neighbors. They serve as the firefighters, EMS, and other first responders that we depend on in our times of need. The State of Maine, for example, has approximately 9,785 firefighters who serve the State's 1.3 million citizens. Maine is largely a rural State, and more than 90 percent of firefighters are volunteers. Without these dedicated volunteers, many smaller communities would be unable to provide firefighting and other emergency services at all.

Often, communities seek to recruit and retain volunteers by offering modest benefits. One of the most common benefits are Length of Service Award Programs or LOSAPs. These are retirement accounts provided to volunteer emergency responders. The legislation we are introducing today would support these efforts by helping to ensure that these nominal benefits to volunteers are not entangled in bureaucracy or needlessly held back by regulations. Specifically, the Volunteer Emergency Services Recruitment and Retention

Act would simplify how LOSAPs are taxed without increasing or reducing Federal spending or taxes. It would do this by eliminating burdensome and confusing IRS requirements that make it unnecessarily difficult for volunteer emergency personnel to receive benefits and for departments to administer plans.

Mr. President, we should take care to protect our volunteer emergency personnel who serve this country with such bravery. Our legislation would help us achieve that goal, and I urge my colleagues to join us in supporting this bill.

## SUBMITTED RESOLUTIONS

### SENATE RESOLUTION 280—COM- MENDING THE OFFICERS AND PERSONNEL OF U.S. CUSTOMS AND BORDER PROTECTION FOR THEIR WORK DURING THE CRI- SIS AT THE SOUTHERN BORDER

Mr. GRAHAM (for himself, Mr. GRASSLEY, Mr. CORNYN, Mr. LEE, Mr. CRUZ, Mr. SASSE, Mr. HAWLEY, Mr. TILLIS, Ms. ERNST, Mr. CRAPO, Mr. KENNEDY, and Mrs. BLACKBURN) submitted the following resolution; which was referred to the Committee on Homeland Security and Governmental Affairs:

S. RES. 280

Whereas U.S. Customs and Border Protection (referred to in this preamble as “CBP”) is charged with protecting the borders of the United States and facilitating travel and trade;

Whereas the Southern border of the United States is experiencing unprecedented numbers of vulnerable individuals attempting to enter the country;

Whereas, in June 2019, 104,344 individuals were apprehended at the Southern border, which is an increase of more than 140 percent, as compared to June 2018;

Whereas, as of June 2019, the number of individuals apprehended or determined to be inadmissible by CBP at the Southern border in fiscal year 2019 is 780,638, already surpassing the fiscal year 2014 total of 569,287, which was the highest such number in the preceding 5 years;

Whereas the Homeland Security Advisory Council expects Southwest border migration numbers to approach or exceed 1,000,000 individuals in fiscal year 2019 unless immediate action is taken;

Whereas, historically, the majority of individuals arriving at the Southern border have been single adult males from Mexico, but by May 2019, 72 percent of all border enforcement actions were associated with unaccompanied children and family units;

Whereas, due to the constant and increasing flow of migrants crossing the Southern border between ports of entry, financial and human resources are being diverted from the security and law enforcement duties of CBP, resulting in—

(1) fewer seizures of narcotics and illicit currency; and

(2) increased wait times at ports of entry, leading to warnings of possible produce shortages and interruptions in supply chains;

Whereas more than 40 percent of CBP resources are currently being absorbed by the humanitarian crisis at the Southern border;

Whereas the final emergency interim report published by the Homeland Security Ad-

visory Council on April 16, 2019, notes that a substantial number of individuals who are apprehended by CBP require significant personal and medical care that exceeds the ability and capacity of CBP, despite creative and humane attempts by CBP to care for such individuals in CBP custody;

Whereas CBP officers and personnel have raised concerns that overcrowding poses immediate risks to—

(1) the health and safety of the migrants; and

(2) CBP officers;

Whereas CBP officers are experiencing both physical illness and severe mental and emotional distress as a result of the crisis at the Southern border;

Whereas, in May 2019, the Commissioner of CBP requested an additional \$2,100,000 for the Employee Assistance Program of CBP in order to offer additional counseling services to CBP officers and personnel to respond to “unanticipated critical incidents and other emerging crises, such as the unexpected response required for migrant caravans, employee suicides, and the need for a financial wellness program”; and

Whereas, in the face of the most difficult circumstances, CBP officers and personnel continue—

(1) to work undaunted to protect the Southern border; and

(2) to care for the migrants in CBP custody; Now, therefore, be it

Resolved, That the Senate—

(1) commends the men and women of U.S. Customs and Border Protection, including Border Patrol personnel, Office of Field Operations personnel, Air and Marine Operations personnel, Office of Trade personnel, and all support personnel and their allies for their continued honorable service during the challenging humanitarian crisis at the Southern border; and

(2) calls on Congress to pass legislation to support U.S. Customs and Border Protection officers and to manage the increasing flow of migrants attempting to enter the United States.

### SENATE RESOLUTION 281—COMMIT- TING TO ELEVATE THE VOICES, LEADERSHIP, AND NEEDS OF COMMUNITIES THAT FACE SYS- TEMIC BARRIERS IN THE EF- FORT TO END SEXUAL VIOLENCE AND SUPPORT ALL SURVIVORS OF SEXUAL VIOLENCE AND GEN- DER-BASED VIOLENCE, INCLUD- ING IMMIGRANT SURVIVORS, SURVIVORS WHO ARE INCARCER- ATED, SURVIVORS WITH DIS- ABILITIES, SURVIVORS OF COLOR, AMERICAN INDIAN OR ALASKA NATIVE SURVIVORS, SURVIVORS OF CHILD SEXUAL ABUSE, AND LESBIAN, GAY, BI- SEXUAL, TRANSGENDER, QUEER, AND INTERSEX SURVIVORS

Mr. BOOKER (for himself and Ms. HARRIS) submitted the following resolution; which was referred to the Committee on Health, Education, Labor, and Pensions:

S. RES. 281

Whereas sexual violence and gender-based violence are tools of oppression and forms of discrimination that can deprive individuals of equal access to educational opportunities;

Whereas survivors of sexual violence face a significant number of health problems, including chronic conditions, suicide, depression, and post-traumatic stress disorder;

Whereas discrimination on the basis of sex includes discrimination on the basis of sexual orientation, gender identity, sex stereotypes, pregnancy, termination of pregnancy, childbirth, and related medical conditions;

Whereas the 2015 United States Transgender Survey found that—

(1) 47 percent of transgender people have been sexually assaulted; and

(2) among transgender people of color, 65 percent of Native Americans, 59 percent of multiracial people, 58 percent of Middle Eastern people, and 53 percent of African Americans have been sexually assaulted;

Whereas the Association of American Universities Campus Climate Survey on Sexual Assault and Sexual Misconduct found that nearly 1 in 4 transgender, genderqueer, gender non-conforming, or questioning students experience sexual violence while pursuing an undergraduate degree;

Whereas the National Sexual Violence Resource Center found that 78 percent of transgender or gender non-conforming youth are sexually harassed during the period beginning in kindergarten and ending in 12th grade;

Whereas the Centers for Disease Control and Prevention 2010 National Intimate Partner and Sexual Violence Survey found that—

(1) 44 percent of lesbian women and 61 percent of bisexual women experience rape, physical violence, or stalking by an intimate partner, compared to 35 percent of heterosexual women; and

(2) 40 percent of gay men and 37 percent of bisexual men have experienced sexual violence other than rape, compared to 21 percent of heterosexual men;

Whereas the National Women's Law Center 2017 Let Her Learn Survey found that 38 percent of lesbian, gay, bisexual, or transgender teen girls reported experiencing sexual violence, compared to 21 percent of all girls;

Whereas, according to the Department of Justice, people with disabilities are 3.5 times more likely to experience rape or sexual assault than people without disabilities;

Whereas, according to the Vera Institute of Justice—

(1) children with disabilities are 3 times more likely than children without disabilities to be sexually abused; and

(2) 83 percent of women and 32 percent of men with cognitive disabilities reported being victims of sexual assault;

Whereas women of all races and ethnicities face some risk of sexual assault, and, according to the Centers for Disease Control and Prevention 2010 National Intimate Partner and Sexual Violence Survey, 33 percent of multiracial non-Hispanic women, nearly 27 percent of indigenous women, 22 percent of Black women, nearly 19 percent of White non-Hispanic women, more than 14 percent of Hispanic women, and 7 percent of Asian American and Pacific Islander women in the United States have experienced rape;

Whereas, according to a research report by the National Institute of Justice, 56.1 percent of American Indian and Alaska Native women have experienced sexual violence;

Whereas sexual violence also affects adolescent girls and, according to the National Women's Law Center 2017 Let Her Learn Survey, 1 in 5 girls aged 14 to 18 has been kissed or touched without consent, including 24 percent of Latina girls, 23 percent of Native American girls, and 22 percent of Black girls;

Whereas studies show that sexual violence and gender-based violence are underreported crimes, indicating that the rates of sexual violence and gender-based violence may be even higher than these estimates;

Whereas too many survivors from communities that face systemic barriers are ignored, blamed, and cast aside when seeking support after experiencing a form of sexual violence or gender-based violence;

Whereas communities that have been disproportionately harmed by the criminal justice system, including Black women and girls, may be less likely to report sexual violence when that violence occurs;

Whereas incarcerated women report extensive histories of emotional, physical, and sexual abuse;

Whereas, according to the Department of Justice, “allegations of sexual misconduct were made in all but one state prison and 41% of local and private jails and prisons”;

Whereas prior abuse is a key predictor of involvement in the juvenile justice system;

Whereas according to the Annie E. Casey Foundation, nearly ¾ of girls in the juvenile justice system have experienced physical or sexual abuse, and many of those girls experience criminal penalties for their responses to sexual violence;

Whereas communities of color are overrepresented in jails and prisons in the United States and disproportionately impacted by violence, including sexual violence, in the criminal justice system;

Whereas youth of color, youth with disabilities, and youth who identify as lesbian, gay, bisexual, transgender, or gender non-conforming are overrepresented in the child welfare system;

Whereas lesbian, gay, bisexual, and transgender youth are overrepresented in the youth homeless population, making them particularly at risk for sexual violence;

Whereas the Center for American Progress reports that 22 percent of lesbian, gay, bisexual, and transgender youth have been sexually assaulted or raped, which is more than 3 times the rate of sexual assault and rape among other homeless youth;

Whereas, according to the GLSEN 2016 report entitled “From Teasing to Torment: School Climate Revisited”;

(1) 59.6 percent of lesbian, gay, bisexual, transgender, and queer (referred to in this preamble as “LGBTQ”) secondary students have been sexually harassed at school, and LGBTQ students are more likely to experience sexual harassment than non-LGBTQ students; and

(2) students with nontraditional gender expression are more likely to experience sexual harassment than students with traditional gender expression;

Whereas high-quality, medically accurate, and LGBTQ-affirming sex education is critical in the effort to eliminate sexual violence by teaching young people about sexual assault, harassment, and affirmative consent;

Whereas less than 40 percent of all high schools and only 14 percent of middle schools in the United States teach all of the topics identified by the Centers for Disease Control and Prevention as important sexual health education topics;

Whereas, according to the National Center for Victims of Crime, a child who is the victim of prolonged sexual abuse usually develops low self-esteem, a feeling of worthlessness, and an abnormal or distorted view of sex;

Whereas, according to the Rape, Abuse & Incest National Network, there is an increased likelihood that an individual will suffer from suicidal or depressive thoughts after experiencing sexual violence;

Whereas, at a time of prioritized mass detention and deportation and the rescinding of the Deferred Action for Childhood Arrivals Program, it is less safe for immigrants to report sexual violence;

Whereas immigrant children are separated from their families and thousands of those children report sexual abuse in government-funded detention camps;

Whereas a history of systemic inequality and discrimination as well as incomplete solutions has resulted in a lack of resources to

meet the needs of diverse survivor populations;

Whereas, according to the National Alliance to End Sexual Violence—

(1) there is a lack of resources for sexual violence and gender-based violence prevention for youth;

(2) many rape crisis centers have waiting lists for prevention programs; and

(3) more investment is needed in the Rape Prevention and Education Program;

Whereas a 2016 National Consensus Statement of Anti-Sexual Assault and Domestic Violence Organizations in Support of Full and Equal Access for the Transgender Community, signed by over 300 local, State, and national organizations, stated: “As organizations that care about reducing assault and violence, we favor laws and policies that protect transgender people from discrimination, including in accessing facilities that match the gender they live every day.”;

Whereas sexual violence and gender-based violence will only end if—

(1) the experiences and needs of immigrant survivors, survivors who are incarcerated, American Indian or Alaska Native survivors, survivors of child sexual abuse, queer and intersex survivors, and survivors with disabilities are respected and supported; and

(2) those survivors are provided culturally and linguistically appropriate and relevant services and accommodations;

Whereas current support systems mandated by Federal law for survivors of sexual violence are neither comprehensive nor fully representative of the vast and pervasive elements within rape culture; and

Whereas Congress is working to confront pervasive sexual violence in the workplace, in schools, and in every area of life: Now, therefore, be it

*Resolved*, That the Senate—

(1) commits—

(A) to elevating the voices, leadership, and needs of communities that face systemic barriers in the effort to end sexual violence and gender-based violence; and

(B) to support all survivors of sexual violence, including—

(i) immigrant survivors;

(ii) survivors who are incarcerated;

(iii) survivors with disabilities;

(iv) survivors of color;

(v) American Indian or Alaska Native survivors;

(vi) survivors of child sexual abuse; and

(vii) lesbian, gay, bisexual, transgender, queer, and intersex survivors;

(2) supports efforts to raise awareness of the history of sexual violence prevention programs;

(3) calls upon this Chamber—

(A) to ensure that responding to the needs of sexual violence survivors is a legislative priority;

(B) to demonstrate proactive leadership in the effort to end sexual violence and gender-based violence; and

(C) to reject rollbacks of enforcement and interpretations of protections against harassment under—

(i) title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d et seq.), which prohibits discrimination in education programs based on race, color, or national origin;

(ii) title VII of the Civil Rights Act of 1964 (42 U.S.C. 2000e et seq.), which prohibits discrimination in employment based on race, color, national origin, sex (including on the basis of sexual orientation, gender identity, sex stereotypes, pregnancy, childbirth, and related medical conditions), or religion;

(iii) title IX of the Education Amendments of 1972 (20 U.S.C. 1681 et seq.), which prohibits discrimination in education programs based on sex (including on the basis of sexual orientation, gender identity, sex stereotypes,

pregnancy, termination of pregnancy, childbirth, and related medical conditions);

(iv) titles I and II of the Americans with Disabilities Act of 1990 (42 U.S.C. 12111 et seq.), which prohibit discrimination based on disability in employment and public schools, respectively; and

(v) section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794), which prohibits discrimination based on disability in education programs;

(4) affirms that—

(A) title IX of the Education Amendments of 1972 (20 U.S.C. 1681 et seq.), title II of the Americans with Disabilities Act of 1990 (42 U.S.C. 12131 et seq.), section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794), and title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d et seq.) intersect; and

(B) to address sexual violence and gender-based violence in an educational setting, it must be acknowledged that—

(i) protections under these comprehensive civil rights laws—

(I) are intersecting; and

(II) address how sexual violence and gender-based violence affect equal access to education; and

(ii) without prompt and equitable responses to sexual violence, schools may be in violation of civil rights laws;

(5) affirms the pursuit of legislative solutions that—

(A) address the unique needs and experiences of survivors of sexual violence from communities that face systemic barriers, including immigrant survivors, survivors who are incarcerated, survivors with disabilities, survivors of color, American Indian or Alaska Native survivors, survivors of child sexual abuse, and lesbian, gay, bisexual, transgender, queer, and intersex survivors;

(B) clarify and strengthen existing protections from sexual harassment and other forms of discrimination in employment, housing, education, public accommodations, and Federally funded programs;

(C) allocate resources based on the needs and vulnerability of diverse survivor populations; and

(D) allocate resources for disaggregated research initiatives that shed light on the disproportionate levels of sexual violence and gender-based violence, and the impact of sexual violence and gender-based violence, on diverse survivor populations; and

(6) calls upon the executive branch to faithfully and robustly enforce laws that protect survivors of sexual violence and communities at higher risk of sexual violence and gender-based violence from harassment, discrimination, and mistreatment.

#### SENATE RESOLUTION 282—HONORING FORMER ASSOCIATE JUSTICE JOHN PAUL STEVENS OF THE SUPREME COURT OF THE UNITED STATES

Mr. DURBIN (for himself, Ms. DUCKWORTH, Mr. MCCONNELL, Mr. SCHUMER, Mr. GRAHAM, Mrs. FEINSTEIN, Mr. ALEXANDER, Ms. BALDWIN, Mr. BARRASSO, Mr. BENNET, Mrs. BLACKBURN, Mr. BLUMENTHAL, Mr. BLUNT, Mr. BOOKER, Mr. BOOZMAN, Mr. BRAUN, Mr. BROWN, Mr. BURR, Ms. CANTWELL, Mrs. CAPITO, Mr. CARDIN, Mr. CARPER, Mr. CASEY, Mr. CASSIDY, Ms. COLLINS, Mr. COONS, Mr. CORNYN, Ms. CORTEZ MASTO, Mr. COTTON, Mr. CRAMER, Mr. CRAPO, Mr. CRUZ, Mr. DAINES, Mr. ENZI, Ms. ERNST, Mrs. FISCHER, Mr. GARDNER, Mrs. GILLIBRAND, Mr. GRASSLEY, Ms. HARRIS, Ms. HASSAN, Mr. HAWLEY, Mr.



HEINRICH, Ms. HIRONO, Mr. HOEVEN, Mrs. HYDE-SMITH, Mr. INHOFE, Mr. ISAKSON, Mr. JOHNSON, Mr. JONES, Mr. KAINE, Mr. KENNEDY, Mr. KING, Ms. KLOBUCHAR, Mr. LANKFORD, Mr. LEAHY, Mr. LEE, Mr. MANCHIN, Mr. MARKEY, Ms. MCSALLY, Mr. MENENDEZ, Mr. MERKLEY, Mr. MORAN, Ms. MURKOWSKI, Mr. MURPHY, Mrs. MURRAY, Mr. PAUL, Mr. PERDUE, Mr. PETERS, Mr. PORTMAN, Mr. REED, Mr. RISCH, Mr. ROBERTS, Mr. ROMNEY, Ms. ROSEN, Mr. ROUNDS, Mr. RUBIO, Mr. SANDERS, Mr. SASSE, Mr. SCHATZ, Mr. SCOTT of Florida, Mr. SCOTT of South Carolina, Mrs. SHAHEEN, Mr. SHELBY, Ms. SINEMA, Ms. SMITH, Ms. STABENOW, Mr. SULLIVAN, Mr. TESTER, Mr. THUNE, Mr. TILLIS, Mr. TOOMEY, Mr. UDALL, Mr. VAN HOLLEN, Mr. WARNER, Ms. WARREN, Mr. WHITEHOUSE, Mr. WICKER, Mr. WYDEN, and Mr. YOUNG) submitted the following resolution; which was considered and agreed to:

## S. RES. 282

Whereas John Paul Stevens was born in Chicago, Illinois, on April 20, 1920, to Ernest James Stevens and Elizabeth Street Stevens;

Whereas John Paul Stevens, in 1941, graduated from the University of Chicago with a bachelor's degree in English;

Whereas John Paul Stevens served as a Lieutenant Commander in the United States Navy during World War II and was awarded the Bronze Star;

Whereas John Paul Stevens was the last living Justice of the Supreme Court of the United States to have served in the armed forces of the United States during World War II;

Whereas John Paul Stevens attended Northwestern University School of Law on the GI Bill, where he served as editor-in-chief of the Northwestern University Law Review and, in 1947, graduated first in his class;

Whereas John Paul Stevens served as a law clerk to Associate Justice of the Supreme Court of the United States Wiley B. Rutledge;

Whereas John Paul Stevens was an accomplished attorney in private practice in Chicago, Illinois, and also worked as a Congressional aide;

Whereas John Paul Stevens was nominated by President Richard M. Nixon to be a judge for the United States Court of Appeals for the Seventh Circuit in 1970;

Whereas John Paul Stevens was nominated by President Gerald R. Ford to be an Associate Justice of the Supreme Court of the United States in 1975;

Whereas John Paul Stevens served with distinction on the Supreme Court of the United States for nearly 35 years;

Whereas John Paul Stevens retired from the Supreme Court of the United States in 2010 at the age of 90;

Whereas John Paul Stevens had the third-longest tenure of any Justice to ever sit on the Supreme Court of the United States;

Whereas John Paul Stevens was a brilliant jurist, an astute writer, and a courteous but incisive questioner from the bench;

Whereas John Paul Stevens, during his decades of service on the Supreme Court of the United States, was committed to safeguarding the rights and liberties protected by the Constitution and respecting the common sense of the American people;

Whereas John Paul Stevens recognized and cherished the importance of the judiciary as an impartial guardian of the rule of law;

Whereas John Paul Stevens showed that fair and reasoned judgment transcends political labels and ideological categories;

Whereas John Paul Stevens was one of the most influential and memorable Justices of the Supreme Court of the United States;

Whereas Chief Justice John Roberts stated that John Paul Stevens' "unrelenting commitment to justice has left us a better nation";

Whereas John Paul Stevens was respected by colleagues, litigants, and the American people, and will be remembered as one of the great Justices of the Supreme Court of the United States;

Whereas John Paul Stevens was a man of Midwestern courtesy, humility, wit, and wisdom;

Whereas John Paul Stevens was an avid player of tennis, golf, ping-pong, and bridge, was a lifelong fan of the Chicago Cubs, and was well known for his fondness of bow ties;

Whereas John Paul Stevens was awarded the Presidential Medal of Freedom by President Barack Obama in 2012;

Whereas John Paul Stevens was married to Elizabeth Jane Sheeren from 1942 to 1979, and had 4 children, John, Kathryn, Elizabeth, and Susan;

Whereas John Paul Stevens was married to Maryan Mulholland Simon from 1980 until her death in 2015;

Whereas John Paul Stevens, at the time of his death, was a grandfather of 9 and a great-grandfather of 13;

Whereas John Paul Stevens passed away on July 16, 2019, at the age of 99; and

Whereas the United States is deeply indebted to John Paul Stevens, a giant figure in American law: Now, therefore, be it:

*Resolved*, That the Senate—

(1) extends heartfelt sympathies to the family and friends of Justice John Paul Stevens;

(2) commends Justice John Paul Stevens for his decades of service to the United States, including his nearly 35-year tenure on the Supreme Court of the United States; and

(3) acknowledges the enormous contributions of Justice John Paul Stevens to the United States and to American law.

#### AUTHORITY FOR COMMITTEES TO MEET

Mr. INHOFE. Mr. President, I have 7 requests for committees to meet during today's session of the Senate. They have the approval of the Majority and Minority leaders.

Pursuant to rule XXVI, paragraph 5(a), of the Standing Rules of the Senate, the following committees are authorized to meet during today's session of the Senate:

#### COMMITTEE ON ARMED SERVICES

The Committee on Armed Services is authorized to meet during the session of the Senate on Tuesday, July 23, 2019, at 9:30 a.m., to conduct a hearing pending military nominations.

#### COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

The Committee on Banking, Housing, and Urban Affairs is authorized to meet during the session of the Senate on Tuesday, July 23, 2019, at 10 a.m., to conduct a hearing.

#### COMMITTEE ON ENERGY AND NATURAL RESOURCES

The Committee on Energy and Natural Resources is authorized to meet

during the session of the Senate on Tuesday, July 23, 2019, at 10 a.m., to conduct a hearing.

#### COMMITTEE ON FINANCE

The Committee on Finance is authorized to meet during the session of the Senate on Tuesday, July 23, 2019, at 10:15 a.m., to conduct a hearing.

#### COMMITTEE ON THE JUDICIARY

The Committee on the Judiciary is authorized to meet during the session of the Senate on Tuesday, July 23, 2019, at 10 a.m., to conduct a hearing.

#### SELECT COMMITTEE ON INTELLIGENCE

The Select Committee on Intelligence is authorized to meet during the session of the Senate on Tuesday, July 23, 2019, at 1:30 p.m., to conduct a closed hearing.

#### SUBCOMMITTEE ON SCIENCE, OCEANS, FISHERIES, AND WEATHER

The Subcommittee on Science, Oceans, Fisheries, and Weather of the Committee on Commerce, Science, and Transportation is authorized to meet during the session of the Senate on Tuesday, July 23, 2019, at 2:15 p.m., to conduct a hearing.

#### NATIONAL DAY OF THE AMERICAN COWBOY

Mr. CORNYN. Madam President, I ask unanimous consent that the Committee on the Judiciary be discharged from further consideration and that the Senate now proceed to S. Res. 265.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The senior assistant legislative clerk read as follows:

A resolution (S. Res. 265) designating July 27, 2019, as "National Day of the American Cowboy".

There being no objection, the committee was discharged, and the Senate proceeded to consider the resolution.

Mr. CORNYN. I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and that the motions to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 265) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in the RECORD of June 26, 2019, under "Submitted Resolutions.")

#### NATIONAL WHISTLEBLOWER APPRECIATION DAY

Mr. CORNYN. Madam President, I ask unanimous consent that the Committee on the Judiciary be discharged from further consideration and that the Senate now proceed to S. Res. 194.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The senior assistant legislative clerk read as follows:

A resolution (S. Res. 194) designating July 30, 2019, as "National Whistleblower Appreciation Day".



There being no objection, the committee was discharged, and the Senate proceeded to consider the resolution.

Mr. CORNYN. I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and that the motions to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 194) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in the RECORD of May 8, 2019, under "Submitted Resolutions.")

#### ORDERS FOR WEDNESDAY, JULY 24, 2019

Mr. CORNYN. Madam President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 9:30 a.m., Wednesday, July 24; and further, that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved for their use later in the day, morning business be closed, and the Senate proceed to executive session and resume consideration of the Dickson nomination under the previous order.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### ORDER FOR ADJOURNMENT

Mr. CORNYN. Madam President, if there is no further business to come before the Senate, I ask unanimous consent that the Senate stand adjourned under the previous order following the remarks of Senator MERKLEY for up to 75 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Oregon.

#### TRIBUTE TO REBECCA WARD AND MEREDITH BOOKER

Mr. MERKLEY. Madam President, I rise to recognize two members of my team who are leaving the Senate after their years of dedicated and important work. Becca Ward will be leaving on August 7, and Meredith Booker will be leaving on Friday, July 26.

Both of them joined my team as interns. They have worked their way up within Team Merkley and have made tremendous contributions to my office and to our Nation. I know they are both going to do extraordinary things in the next chapters of their lives, but, first, it is worth reflecting on their service in the U.S. Senate.

Becca Ward has been an invaluable member of our team for 6 years. She started as an intern in my Oregon office, and she worked her way up to be my lead adviser on climate chaos and energy policy. Becca joined Team Merkley as a full-time staff assistant in 2013. Over the years, she rose to be a

legislative correspondent and then a legislative aide. She drafted and sent responses to more than 225,000 Oregonians who were concerned about the climate and the environment.

Becca's terrific work made it clear that she was capable of more, so she became my top policy adviser on the threat of climate chaos. Climate chaos presents an existential threat to our planet. Her professionalism, her substantive expertise, her creativity, and the network she created proved to be powerful tools in our working to advance a progressive climate agenda.

When Becca first started working on climate change, she took the lead and the effort to protect the Arctic Ocean from oil and gas drilling, which led to the introduction of the Stop Arctic Ocean Drilling Act. Over the course of her years on this portfolio, she has helped a lot with the mission 100 bill, which aims to transition the United States into a 100-percent clean energy economy, and with my Keep It in the Ground Act, which would stop the expansion of the leasing of our Federal publicly owned properties for the production of fossil fuels.

More recently, she has contributed by collating the Senate's version of the Green New Deal, which has set a high bar for progressive climate efforts in the future. Just last week, she led my staff through the introduction of the Good Jobs for 21st Century Energy Act—a bold, new bill that required extensive coordination between the environmental community and the labor community. It is designed to create good-paying, family-wage jobs and to have high labor standards—a race to the top in employment during the transition to clean energy.

Becca's efforts to take on the global challenge of climate chaos hasn't been limited to the United States. She has repeatedly traveled with me and on my behalf to U.N. Conference of the Parties meetings and to other international events to engage in the diplomacy that is necessary for a true global response to a global crisis. She has shepherded my efforts through the Appropriations Committee to maintain funding for climate programs and to introduce and pass bipartisan amendments that support the Green Climate Fund.

In addition to her substantive policy responsibilities, she has been an incredible team player and a remarkable individual to have with us. I think it is safe to say that Becca will likely go down in Team Merkley history as the only member of our team who is also an Olympic medalist. She has been a fantastic manager and mentor to the members of the climate team and has been a huge contributor to our office's efforts to promote diversity, equity, and inclusion in our work. I know her absence will be felt especially strongly every year when the annual cherry blossom run comes around.

Becca, you might need to plan a trip to DC for next spring.

While Becca is going to do incredible things for the planet in her next chapter of helping to expand a recently formed environmental organization, the Clean Energy Leadership Institute, she will be greatly missed here as a colleague, as a friend, and as a mentor to so many of us on the team.

We are counting on you, Becca, to save the planet, so no pressure. We appreciate your service to Oregon and to our country, and I look forward to hearing about your efforts in your journey ahead.

Now we turn to another member of Team Merkley, Meredith Booker, who is, sadly, leaving us in July—in fact, at the end of this week. Meredith embodies the heart and soul and work ethic of Team Merkley, and she will be sorely missed by everyone in the immigration, civil rights, housing, and LGBTQ rights portfolios.

Meredith joined our team as an intern in August of 2016 and quickly became indispensable, joining the legislative correspondent ranks in December of 2016.

In June of 2018, she was promoted to legislative aide and hasn't looked back, taking on more and more responsibility. She came into this position with a deep understanding and background in criminal justice and has brought a top-notch performance to every project and task she has touched. I think most of our office would agree. She is the best organized member of our team. Her meticulously crafted policy-tracker spreadsheet has helped our team stay on track in many areas and will remain a lasting part of her legacy here on Capitol Hill. It doesn't matter whether it is the smallest project or the biggest high-stakes moment, Meredith always gets it done and gets it done well.

This work ethic has extended from volunteering countless time to pitching in with coding parties. Coding parties are when the team stays late in the evening to work to try to have a prompt response to the thousands of letters we receive from Oregonians.

It stems from that to hustling to perfect every line and section of the 2019 Equality Act, resulting in a record of 47 Senate sponsors and bipartisan passage in the House of Representatives this May. That act has yet to be considered on the floor of the Senate, but it is way past time that we establish equality of opportunity for every single American.

Meredith skillfully navigated working with two different legislative assistants at times—and sometimes with one LA and sometimes with no LA—without letting a single decision, memo, or project fall through the cracks.

She managed reintroduction of the American Savings Act to expand high-quality retirement savings accounts to every American.

She managed our annual August Breastfeeding Month resolution to recognize the importance of breastfeeding

to American families and to the health of the children and the health of the mothers.

Just a short time ago, when the Department of Agriculture laid out a plan to destroy Civilian Conservation Corps centers across America, she dove into the tricky and wonky world of that and proceeded to work intensely to prevent that from happening and worked successfully to do that.

She threw herself into the challenge of the retirement integrity act, designed to make IRAs work more cost-effectively for working Americans rather than be a loophole for the megawealthy.

Though we have always known we were lucky to have Meredith on Team Merkley, she has truly stepped up and gone above and beyond in the last year, after my June 2018 trip to Brownsville led to intensive work on the issue of family and child separation and to a lot of efforts by many parties to push back against President Trump's cruelty to migrant families. When President Trump proposed locking families up in internment camps, she led the drafting of the No Internment Camps Act to say that we will never repeat that shameful chapter in our history. When President Trump threw thousands of children into unregulated child prisons at Tornillo and Homestead, she leapt into action and worked with the immigration team to draft the Shut Down Child Prison Camps Act to end this horrific practice.

Just a few weeks ago, she was instrumental to the introduction of the Stop Cruelty to Migrant Children Act, legislation to ensure we treat children with dignity and respect, and that act already has 40 Senators sponsoring it.

As I have traveled to investigate the Trump administration's policies toward migrants over the last year, Meredith's codel, or congressional delegation, binders have become legendary. Whether they are assembled in support of trips to Texas or Central America—or when she joined the trip herself, as she did earlier this year when we went to the child jail in Homestead, FL—you have never seen a binder assembled with so much meticulous care and attention to detail.

In addition to her many accomplishments supporting legislation and oversight trips, she worked with countless outside groups to organize a hugely successful hearing through the Democratic Policy and Communications Center, or DPCC, on family separation in June of 2018. She reprised that role this week—in fact, today—working to help organize another DPCC hearing on the treatment of children at the southern U.S. border. It occurred just earlier this afternoon, with the focus on stopping the cruel treatment of migrant children.

She has done all this without letting the effort to respond to Oregonians' letters fall through the cracks. She probably holds the record for our team responding to constituent mail, having

responded to more than 256,000 emails in less than 3 years and, in doing so, created 350 unique letters for those responses. That means, on average, that Meredith has created nearly 150 letters per year and sent approximately 100,000 responses per year. That is a lot of communicating with folks back home.

America is very lucky that Meredith is taking her talents to the legal arena. She will be starting at Loyola University of New Orleans this fall, working toward her law degree. Knowing how much she has done without a law degree—probably more than most fully accredited lawyers—I know the world is going to benefit enormously as she pursues that degree and puts it to work in the fight for justice and equality. The world of justice and equality will benefit just as we experience the loss of her talents here in the Senate.

Meredith, we are tremendously grateful for your contributions and will deeply miss you on Team Merkley. We will absolutely miss you both. You leave a tremendous hole in our team. Your final assignment is to make sure that we have some very talented people to carry on the terrific work you have been doing. Thank you.

#### MUELLER REPORT

Mr. MERKLEY. Madam President, as our Founders worked to design what would become the Constitution of the United States, they had certain core principles in mind—certain principles that were the exact opposite of the way government worked in Europe. They did not want to see America be a land run by a dictator or a King. They wanted to make sure that power was distributed between voting Americans, a principle Jefferson called the equal voice principle, because distributed power among the people would lead to laws by and for the people, not laws by and for the powerful.

They had another principle, and it was the opposite of what existed in Europe, where a King and perhaps the King's circle were above the law, not accountable to any core principles of conduct or any rules. What they did in their lives as rulers in that fashion just simply was accountable to no one.

But our Constitution had a different vision. The goal was to have everyone in America accountable to the law—that we are all in this together. No one is a King. No one is a dictator. That vision is really embodied in four simple words carved into the facade of the doors of the Supreme Court: Equal Justice Under Law.

If you stand here in the Johnson Room, just across the hallway, and you look out the window toward the Supreme Court, you see this: Equal Justice Under Law. It is a principle so foundational to our vision of a citizen-run nation, a nation by and for the people, that it was the source of my first political act.

If memory serves me well, I was a junior in high school. I read an article

in the evening newspaper. Now, at that point, many cities in the country had a morning newspaper, which was more of the business community's newspaper, and an evening newspaper, which was more the workers' newspaper, which made sense. For my father, a union machinist, his work started at 7 in the morning and concluded 9 hours later at 4 in the afternoon. He would come home, get the evening newspaper, read it, have dinner, and watch the evening news on television.

In that newspaper that evening, there was an article about Spiro Agnew, our former Vice President. He was convicted of taking \$100,000 in bribes, but what was his penalty? His penalty was a \$10,000 fine. I was enraged: Like, what? People get sent to prison for stealing a loaf of bread, and the Vice President illegally took \$100,000 and gets to keep 90 percent of it. What kind of a story is that to America, that if you are wealthy and powerful, you can commit crimes and keep the vast share of what you have taken in that crime? So I wrote an outraged letter to the newspaper, and the newspaper published it.

Equal Justice Under Law—it is a very important principle to our Nation. But today we face a political crisis—a crisis about whether we have a President who is above the law, and that somehow this phrase, this principle, the foundation of our country, doesn't apply to this particular President. If that stands, then we will have lost a core principle of our democratic Republic.

Tomorrow we are going to have testimony from former Special Counsel Mueller in the House of Representatives. He is scheduled for some 3 hours before the Judiciary Committee of the House and another couple of hours with the Intelligence Committee. He will be following up to share insights and answer questions related to this hefty document: Report On The Investigation Into Russian Interference In The 2016 Presidential Election.

There is a lot in this report. You wouldn't know that if you just listened to our Attorney General, because our current Attorney General Barr said there is nothing here—nothing in this. That is not the case, and I have come to the floor tonight to make that absolutely clear.

Here is the easiest way to summarize it. We received an open letter from more than 1,000 former prosecutors evaluating what is in this hefty book. It says:

We are former federal prosecutors. We served under both Republican and Democratic administrations at different levels . . . line attorneys, supervisors, special prosecutors, United States Attorneys, and senior officials at the Department of Justice. The offices in which we served were small, medium, and large; urban, suburban, and rural; and located in all parts of our country.

Each of us believes that the conduct of President Trump described in Special Counsel Robert Mueller's report would, in the case of any other person not covered by the

Office of Legal Counsel policy against indicting a sitting President, result in multiple felony charges for obstruction of justice.

The Mueller report describes several acts that satisfy all of the elements for an obstruction charge, conduct that obstructed or attempted to obstruct the truth-finding process, as to which the evidence of corrupt intent and connection to pending proceedings is overwhelming. These include:

The President's efforts to fire Mueller and to falsify evidence about that effort;

The President's efforts to limit the scope of Mueller's investigation to exclude his conduct; and

The President's efforts to prevent witnesses from cooperating with the investigators probing him and his campaign.

This statement goes on in some detail, but the point that needs to be repeated is this point: "Each of us believes that the conduct of President Trump described in Special Counsel Robert Mueller's report would, in the case of any other person . . . result in multiple felony charges."

In other words, 1,000—in fact, more than 1,000—Federal prosecutors said, in their minds, reading just this report, that the President has committed multiple crimes.

What happened to the principle of equal justice under the law? There are 1,000 Federal prosecutors who said that anyone else—you or you or you—would be indicted for felonies as a result of the conduct that is in this report. But the President has not been indicted.

Why has he not been indicted? It is simply this: An indictment has to stem from the Department of Justice, which is now run by an Attorney General who has dedicated himself to preventing the President from being held accountable rather than to the principle of equal justice under the law.

No one who does not believe in the founding principle of our Nation should ever serve as Attorney General of the United States. Yet he serves and refuses to conduct his responsibilities under the Constitution. That is why there is no choice but for the House to act. In the failure of Attorney General Barr to honor the principle that our Nation was founded on, equal justice under the law, the only recourse is the House of Representatives.

Down this hallway, through these double doors, not far away, is the House of Representatives, which is charged under the Constitution with determining if a President has committed high crimes and misdemeanors. While there may be a discussion of exactly what is meant by high crimes and misdemeanors, surely they entail acts of obstruction of justice for which any other American would have been indicted. Surely, felony crimes qualify.

The House doesn't determine guilt or innocence. The House plays the role of Federal prosecutors who are deciding whether to indict. Is the evidence sufficient to say it is credible and substantial that the individual conducted a felony, a crime? The answer by 1,000 Federal prosecutors is absolutely.

It can't be done by the Supreme Court. It can't be done by the judiciary

as long as the Attorney General is blocking it. It can be done only by the House. That is why the House has to act now and has to proceed to put together a committee on impeachment or this principle means nothing.

Then it would come to this Chamber to hold the actual trial. But there will be no trial if there is no indictment. There is no trial in the Senate Chamber if there is no impeachment, and there is no credibility to this principle in America if the House doesn't act.

So I call upon the House to convene that committee and to conduct that impeachment inquiry, and if they come out of that inquiry with 1,000 Federal prosecutors, they must act and vote to impeach.

This cannot be about politics: Is it a smart thing to do? How will it affect the next election? Will it put our Presidential candidates in a strange space? Let's do an opinion poll of America. No, absolutely not.

Our institutions are under assault, and we have a responsibility because we took an oath of office to the Constitution to defend this principle. The House took the same oath, and they have a responsibility to defend that principle.

I am going to take the time to lay out four of those charges of obstruction justice just to set the stage for tomorrow.

This is what is referred to as a "heat map." It lays out different cases in which the President interfered with the judicial process, and then it proceeds to ask: Is there substantial evidence of the three things that are needed as a foundation for saying that a felony crime has been committed?

The first is, was there an obstructive act? The second is, was there a nexus to an issue? The third is, was there criminal intent?

There are four cases in which capable individuals have reviewed the Mueller report and have said yes on all three—meaning, each of these is red.

Let's take a look at this. First, let's turn to this issue of efforts to fire Mueller. I am reading now from page 87 of this hefty report on the investigation, the special counsel's report.

On page 87, under "Analysis," it proceeds to say: "In analyzing the President's direction to McGahn to have the Special Counsel removed, the following evidence is relevant to the elements of obstruction of justice."

Then he walks through each of these three pieces:

Obstructive act. As with the President's firing of Comey, the attempt to remove the Special Counsel would qualify as an obstructive act if it would naturally obstruct the investigation and any grand jury proceedings that might flow from the inquiry. Even if the removal of the lead prosecutor would not prevent the investigation from continuing under a new appointee, a factfinder would need to consider whether the act had the potential to delay further action in the investigation, chill the actions of any replacement Special Counsel, or otherwise impede the investigation.

A threshold question is whether the President in fact directed McGahn to have the Special Counsel removed. After news organizations reported that in June 2017 the President had ordered McGahn to have the Special Counsel removed, the President publicly disputed these accounts, and privately told McGahn that he had simply wanted McGahn to bring conflicts of interest to the Department of Justice's attention. . . . Some of the President's specific language that McGahn recalled from the calls is consistent with that explanation. Substantial evidence, however, supports the conclusion that the President went further and in fact directed McGahn to call Rosenstein to have the Special Counsel removed.

First, McGahn's clear recollection was that the President directed him to tell Rosenstein not only that conflicts existed but also that "Mueller has to go." McGahn is a credible witness with no motive to lie or exaggerate given the position he held in the White House. McGahn spoke with the President twice and understood the directive the same way both times, making it unlikely that he misheard or misinterpreted the President's request. In response to that request, McGahn decided to quit because he did not want to participate in events that he described as akin to the Saturday Night Massacre.

That is a reference to Watergate.

He called his lawyer, drove to the White House, packed up his office, prepared to submit a resignation letter with his chief of staff, told Priebus that the President had asked him to "do crazy shit," and informed Priebus and Bannon that he was leaving. Those acts would be a highly unusual reaction to a request to convey information to the Department of Justice.

Second, in the days before the calls to McGahn, the President, through his counsel, had already brought the asserted conflicts to the attention of the Department of Justice. Accordingly, the President had no reason to have McGahn call Rosenstein that weekend to raise conflicts issues that already had been raised.

Third, the President's sense of urgency and repeated requests to McGahn to take immediate action on a weekend—"You gotta do this. You gotta call Rod."—support McGahn's recollection that the President wanted the Department of Justice to take action to remove the Special Counsel. Had the President instead sought only to have the Department of Justice re-examine asserted conflicts to evaluate whether they posed an ethical bar, it would have been unnecessary to set the process in motion on a Saturday and to make repeated calls to McGahn.

Finally, the President had discussed "knocking out Mueller" and raised conflicts of interest in a May 23, 2017 call to McGahn, reflecting that the President connected the conflicts to a plan to remove the Special Counsel. And in the days leading up to June 17, 2017, the President made clear to Priebus and Bannon, who then told Ruddy, that the President was considering terminating the Special Counsel. Also, during this time period, the President reached out to Christie to get his thoughts on firing the Special Counsel. This evidence shows that the President was not just seeking an examination of whether conflicts existed but instead was looking to use asserted conflicts as a way to terminate the Special Counsel.

So those are the obstructive acts, efforts to fire special counsel Mueller.

Nexus to an official proceeding [the second test]. To satisfy the proceeding requirement, it would be necessary to establish a nexus

between the President's act of seeking to terminate the Special Counsel and a pending or foreseeable grand jury proceeding.

Substantial evidence indicates that by June 17, 2017, the President knew his conduct was under investigation by a federal prosecutor who could present any evidence of federal crimes to a grand jury. On May 23, 2017, McGahn explicitly warned the President that his "biggest exposure" was not his act of firing Comey but his "other contacts" and "calls," and his "ask re: Flynn." By early June, it was widely reported in the media that federal prosecutors had issued grand jury subpoenas in the Flynn inquiry and that the Special Counsel had taken over the Flynn investigation. On June 9, 2017, the Special Counsel's Office informed the White House that investigators would be interviewing intelligence agency officials who allegedly had been asked by the President to push back against the Russia investigation. On June 14, 2017, news outlets began reporting that the President himself was being investigated for obstruction of justice. Based on widespread reporting, the President knew that such an investigation could include his request for Comey's loyalty; his request that Comey "let[] Flynn go"; his outreach to Coats and Rogers; and his termination of Comey and statement to the Russian Foreign Minister that the termination had relieved "great pressure" related to Russia. And on June 16, 2017, the day before he directed McGahn to have the Special Counsel removed, the President publicly acknowledged that his conduct was under investigation by a federal prosecutor, tweeting, "I am being investigated for firing the FBI Director by the man who told me to fire the FBI Director!"

That covers the nexus to an official proceeding, but what about this third issue, this issue of intent?

Reading again from the special counsel's report evaluating this, going to the issue of intent on efforts to fire Mueller:

Substantial evidence indicates that the President's attempts to remove the Special Counsel were linked to the Special Counsel's oversight of investigations that involved the President's conduct—and, most immediately, to reports that the President was being investigated for potential obstruction of justice.

Before the President terminated Comey, the President considered it critically important that he was not under investigation and that the public not erroneously think he was being investigated. As described in Volume II . . . advisors perceived the President, while he was drafting the Comey termination letter, to be concerned more than anything else about getting out that he was not personally under investigation. When the President learned of the appointment of the Special Counsel on May 17, 2017, he expressed further concern about the investigation, saying "[t]his is the end of my Presidency." The President also faulted Sessions for recusing, saying "you were supposed to protect me."

On June 14, 2017, when the Washington Post reported that the Special Counsel was investigating the President for obstruction of justice, the President was facing what he had wanted to avoid: a criminal investigation into his own conduct that was the subject of widespread media attention. The evidence indicates that news of the obstruction investigation prompted the President to call McGahn and seek to have the Special Counsel removed. By mid-June, the Department of Justice had already cleared the Special Counsel's service and the President's advisors had told him that the claimed conflicts

of interest were "silly" and did not provide a basis to remove the Special Counsel. On June 13, 2017, the Acting Attorney General testified before Congress that no good cause for removing the Special Counsel existed, and the President dictated a press statement to Sanders saying he had no intention of firing the Special Counsel. But the next day, the media reported that the President was under investigation for obstruction of justice and the Special Counsel was interviewing witnesses about events related to possible obstruction—spurring the President to write critical tweets about the Special Counsel's investigation. The President called McGahn at home that night and then called him on Saturday from Camp David. The evidence accordingly indicates that news that an obstruction investigation had been opened is what led the President to call McGahn to have the Special Counsel terminated.

There also is evidence that the President knew that he should not have made those calls to McGahn. The President made the calls to McGahn after McGahn had specifically told the President that the White House Counsel's Office—and McGahn himself—could not be involved in pressing conflict claims and that the President should consult with his personal counsel if he wished to raise conflicts. Instead of relying on his personal counsel to submit the conflict claims, the President sought to use his official powers to remove the Special Counsel. And after the media reported on the President's actions, he denied that he had ever ordered McGahn to have the Special Counsel terminated and made repeated efforts to have McGahn deny the story, as discussed in Volume II. . . . Those denials are contrary to the evidence and suggest the President's awareness that the direction to McGahn could be seen as improper.

So there it is—obstruction, a nexus to an investigation, and criminal intent. Those are the efforts to fire Mueller. That is the first one laid out in this quote that I am reading from, the first one that I am conveying to you all, and there are four of these I am going to go through to set the stage for understanding the gravity of what is happening in the United States. I think this conversation has been going on for so long that people have lost sight of the egregious nature and the criminal nature of the President's conduct—at least the degree laid out in exquisite detail, as I am reading it to you—and that more than 1,000 former Federal prosecutors who have looked at these top four issues and others have said that anyone else would be indicted, meaning that in their minds, these acts met the three tests for felony conduct; that is, in their view, the President committed crimes.

So the second issue is efforts to curtail the Mueller investigation. The first was to fire Mueller, and the second was to curtail the investigation. I will start reading the analysis laid out starting on page 97, continuing through page 98.

In analyzing the President's efforts to have Lewandowski deliver a message directing Sessions to publicly announce that the Special Counsel investigation would be confined to future election interference, the following evidence is relevant to the elements of obstruction of justice.

Looking first to the obstructive act.

The President's effort to send Sessions a message through Lewandowski would qualify

as an obstructive act if it would naturally obstruct the investigation in any grand jury proceedings that might flow from the inquiry.

The President sought to have Sessions announce that the President "shouldn't have a Special Prosecutor/Counsel" and that Sessions was going to "meet with the Special Prosecutor to explain this is very unfair and let the Special Prosecutor move forward with investigating election meddling for future elections so that nothing can happen in future elections." The President wanted Sessions to disregard his recusal from the investigation, which had followed from a former DOJ ethics review, and have Sessions declare that he knew "for a fact" that "there were no Russians involved in the campaign" because he "was there." The President further directed that Sessions should explain that the President should not be subject to an investigation "because he hasn't done anything wrong." Taken together, the President's directives indicate that Sessions was being instructed to tell the Special Counsel to end the existing investigation into the President and his campaign, with the Special Counsel being permitted to "move forward with investigating election meddling for future elections."

So the obstructive act was perceived to box in the Mueller investigation so it wouldn't touch on the President. That is an obstruction of justice. But is there a nexus to an official proceeding? That is next addressed in the Mueller report as follows:

As described above, by the time of the President's initial one-on-one meeting with Lewandowski on June 19, 2017, the existence of a grand jury investigation supervised by the Special Counsel was public knowledge. By the time of the President's follow-up meeting with Lewandowski—

I bet you would like to know what comes next, but take a look here. I can't tell you because it has been blacked out. So whatever it was, it created a key point about the nexus to the official proceeding. The section goes on after the blacked out section:

To satisfy the nexus requirement, it would be necessary to show that limiting the Special Counsel's investigation would have the natural and probable effect of impeding that grand jury proceeding.

So nexus and substantial evidence. Let's go to intent. Again, I am reading from page 97:

Substantial evidence indicates that the President's effort to have Sessions limit the scope of the Special Counsel's investigation to future election interference was intended to prevent further investigative scrutiny of the President's and his campaign's conduct.

That sums it up. Then it goes on in some greater detail:

As previously described, see Volume II . . . the President knew that the Russian investigation was focused in part on his campaign, and he perceived allegations of Russian interference to cast doubt on the legitimacy of his election. The President further knew that the investigation had broadened to include his own conduct and whether he had obstructed justice. Those investigations would not proceed if the Special Counsel's jurisdiction were limited to future election interference only.

The timing and circumstances of the President's actions support the conclusion that he sought that result. The President's initial direction that Sessions should limit the Special Counsel's investigation came just 2 days

after the President ordered McGahn to have the Special Counsel removed, which itself followed public reports that the President was personally under investigation for obstruction of justice. The sequence of those events raises an inference that after seeking to terminate the Special Counsel, the President sought to exclude his and his campaign's conduct from the investigation's scope. The President raised the matter with Lewandowski again on July 19, 2017, just days after emails and information about the June 9, 2016 meeting between Russians and senior campaign officials had been publicly disclosed, generating substantial media coverage and investigative interest.

The manner in which the President acted provides additional evidence of his intent. Rather than rely on official channels, the President met with Lewandowski alone in the Oval Office. The President selected a loyal "devotee" outside the White House to deliver the message, supporting an inference that he was working outside White House channels, including McGahn, who had previously resisted contacting the Department of Justice about the Special Counsel. The President also did not contact the Acting Attorney General, who had just testified publicly that there was no cause to remove the Special Counsel. Instead, the President tried to use Sessions to restrict and redirect the Special Counsel's investigation when Sessions was recused and could not properly take any action on it.

The July 19, 2017 events provide further evidence of the President's intent. The President followed up with Lewandowski in a separate one-on-one meeting one month after he first dictated the message for Sessions, demonstrating he still sought to pursue the request. And just hours after Lewandowski assured the President that the message would soon be delivered to Sessions, the President gave an unplanned interview to the New York Times in which he publicly attacked Sessions and raised questions about his job security. Four days later, on July 22, 2017, the President directed Priebus to obtain Sessions' resignation. That evidence could raise an inference that the President wanted Sessions to realize that his job might be on the line as he evaluated whether to comply with the President's direction that Sessions publicly announce that, notwithstanding his recusal, he was going to confine the Special Counsel's investigation to future election interference.

It is laid out in great detail—an obstructive act, a nexus to an official proceeding, and the issue of intent. This did not happen by accident—not on the efforts to fire Mueller and not on the efforts to curtail the Mueller investigation.

Now we will go to the third major point here—the order to McGahn to deny the attempt to fire Mueller. This analysis in the special prosecutor's report starts on page 118.

In analyzing the President's efforts to have McGahn deny that he had been ordered to have the Special Counsel removed, the following evidence is relevant to the elements of obstruction of justice.

#### First, obstructive act.

The President's repeated efforts to get McGahn to create a record denying that the President had directed him to remove the Special Counsel would qualify as an obstructive act if it had a natural tendency to constrain McGahn from testifying truthfully or to undermine his credibility as a potential witness if he testified consistently with his memory rather than with what the record said.

There is some evidence that at the time the New York Times and Washington Post stories were published in late January 2018, the President believed the stories were wrong and that he had never told McGahn to have Rosenstein remove the Special Counsel. The President correctly understood that McGahn had not told the President directly that he planned to resign. In addition, the President told Priebus and Porter that he had not sought to terminate the Special Counsel, and in the Oval Office meeting with McGahn, the President said, "I never said to fire Mueller. I never said 'fire.'" That evidence could indicate that the President was not attempting to persuade McGahn to change his story but instead offering his own but different recollection of the substance of his June 2017 conversations with McGahn and McGahn's reaction to them.

Other evidence cuts against that understanding of the President's conduct.

That is an important line to understand. Is it possible that the President simply had a different recollection? And the answer in the special prosecutor's report is this: "Other evidence cuts against that understanding."

The special counsel continues:

As previously described, see Volume II . . . substantial evidence supports McGahn's account that the President had directed him to have the Special Counsel removed, including the timing and context of the President's directive; the manner in which McGahn reacted; and the fact that the President had been told the conflicts were insubstantial, were being considered by the Department of Justice, and should be raised with the President's personal counsel rather than brought to McGahn. In addition, the President's subsequent denials that he had told McGahn to have the Special Counsel removed were carefully worded. When first asked about the New York Times story, the President said, "Fake news, folks. Fake news. A typical New York Times fake story." And when the President spoke with McGahn in the Oval Office, he focused on whether he had used the word "fire," saying, "I never said to fire Mueller. I never said 'fire.'"

He then said:

"Did I say the word 'fire'? The President's assertion in the Oval Office meeting that he had never directed McGahn to have the Special Counsel removed thus runs counter to the evidence.

In addition, even if the President sincerely disagreed with McGahn's memory of the June 17, 2017 events, the evidence indicates that the President knew by the time of the Oval Office meeting that McGahn's account differed and that McGahn was firm in his views. Shortly after the story broke, the President's counsel told McGahn's counsel that the President wanted McGahn to make a statement denying he had been asked to fire the Special Counsel, but McGahn responded through his counsel that that aspect of the story was accurate and he therefore could not comply with the President's request. The President then directed Sanders to tell McGahn to correct the story, but McGahn told her he would not do so because the story was accurate in reporting on the President's order. Consistent with that position, McGahn never issued a correction. More than a week later, the President brought up the issue again with Porter, made comments indicating that the President thought McGahn had leaked the story, and directed Porter to have McGahn create a record denying that the President had tried to fire the Special Counsel. At that point, the President said he might "have to get rid

of' McGahn if McGahn did not comply. McGahn again refused and told Porter, as he told Sanders and as his counsel had told the President's counsel, that the President had in fact ordered him to have Rosenstein remove the Special Counsel. That evidence indicates that by the time of the Oval Office meeting the President was aware that McGahn did not think the story was false and did not want to issue a statement or create a written record denying facts that McGahn believed to be true. The President nevertheless persisted and asked McGahn to repudiate facts that McGahn had repeatedly said were accurate.

So that is the evidence of the order to McGahn to deny that he had been instructed to fire Mueller by the President. But is there a nexus to an official proceeding—the second test? The special counsel's report continues to address that issue.

Nexus to an official proceeding. By January 2018, the Special Counsel's use of a grand jury had been further confirmed by the return of several indictments. The President also was aware that the Special Counsel was investigating obstruction-related events because, among other reasons, on January 8, 2018, the Special Counsel's office provided his counsel with a detailed list of topics for a possible interview with the President. The President knew that McGahn had personal knowledge in many of the events the Special Counsel was investigating and that McGahn had already been interviewed by Special Counsel investigators. And in the Oval Office meeting, the President indicated he knew that McGahn had told the Special Counsel's Office about the President's effort to remove the Special Counsel. The President challenged McGahn for disclosing that information and for taking notes that he viewed as creating unnecessary legal exposure. That evidence indicates the President's awareness that the June 17, 2017 events were relevant to the Special Counsel's investigation and any grand jury investigation that might grow out of it.

To establish a nexus, it would be necessary to show that the President's actions would have the natural tendency to affect such a proceeding or that they would hinder, delay or prevent the communication of information to investigators. Because McGahn had spoken to Special Counsel investigators before January 2018, the President could not have been seeking to influence his prior statements in those interviews. But because McGahn had repeatedly spoken to investigators and the obstruction inquiry was not complete, it was foreseeable that he would be interviewed again on obstruction-related topics. If the President were focused solely on a press strategy in seeking to have McGahn refute the New York Times article, a nexus to a proceeding or to further investigative interviews would not be shown. But the President's efforts to have McGahn write a letter "for our records" approximately ten days after the story had come out—well past the typical time to issue a correction for a news story—indicates the President was not focused solely on press strategy, but instead likely contemplated the ongoing investigation and any proceedings arising from it.

So that is the nexus.

And now to intent.

Substantial evidence indicates that in repeatedly urging McGahn to dispute that he was ordered to have the Special Counsel terminated, the President acted for the purpose of influencing McGahn's account in order to deflect or prevent further scrutiny of the President's conduct towards the investigation.

That summarizes the intent.

Let me just repeat a piece of that.

Substantial evidence indicates that in repeatedly urging McGhan to dispute that he was ordered to have the Special Counsel terminated—

In other words, his repeated efforts to have McGhan lie—

the President acted for the purpose of influencing McGhan's account in order to deflect or prevent further scrutiny of the President's conduct. . . .

Several facts support that conclusion. The President made repeated attempts to get McGhan to change his story.

Not just one, but repeated attempts.

As described above, by the time of the last attempt, the evidence suggests that the President had been told on multiple occasions that McGhan believed the President had ordered him to have the Special Counsel terminated. McGhan interpreted his encounter with the President in the Oval Office as an attempt to test his mettle and see how committed he was to his memory of what had occurred. The President had already laid the groundwork for pressing McGhan to alter his account by telling Porter that it might be necessary to fire McGhan if he did not deny the story, and Porter relayed that statement to McGhan. Additional evidence of the President's intent might be gleaned from the fact that his counsel was sufficiently alarmed by the prospect of the President's meeting with McGhan that he called McGhan's counsel and said that McGhan could not resign no matter what happened in the Oval Office that day. The President's counsel was well aware of McGhan's resolve not to issue what he believed to be a false account of events despite the President's request. Finally, as noted above, the President brought up the Special Counsel investigation in his Oval Office meeting with McGhan and criticized him for telling this Office about the June 17, 2017 events. The President's statements reflect his understanding—and his displeasure—that those events would be part of an obstruction-of-justice inquiry.

So there it is—the intent, all laid out very, very clearly in this report—obstructive acts, a nexus to an official proceeding, and the clear intent.

So let's turn to the fourth issue: Conduct toward Manafort. This can be found on page 131 of the special counsel's report.

In analyzing the President's conduct towards Flynn, Manafort—

And a third person who has been blacked out in the record—

the following evidence is relevant to the elements of obstruction of justice:

Section a. Obstructive act.

Here we are addressing if there is evidence—is there substantial evidence—of the President's conduct toward Manafort.

With respect to Manafort, there is evidence that the President's actions had the potential to influence Manafort's decision whether to cooperate with the government. The President and his personal counsel made repeated statements suggesting that a pardon was a possibility for Manafort, while also making it clear that the President did not want Manafort to “flip” and cooperate with the government. On June 15, 2018, the day the judge presiding over Manafort's D.C. case was considering whether to revoke his bail, the President said that he “felt badly” for Manafort and stated, “I think a lot of it is very unfair.” And when asked about a pardon

for Manafort, the President said, “I do want to see people treated fairly. That's what it's all about.” Later that day, after Manafort's bail was revoked, the President called it a “tough sentence” that was “Very unfair!” Two days later, the President's personal counsel stated that individuals involved in the Special Counsel's investigation could receive a pardon “if in fact the [P]resident and his advisors . . . come to the conclusion that you have been treated unfairly”—using language that paralleled how the President had already described the treatment of Manafort. Those statements, combined with the President's commendation of Manafort for being a “brave man” who “refused to ‘break,’” suggested that a pardon was a more likely possibility if Manafort continued not to cooperate with the government. And while Manafort eventually pleaded guilty pursuant to a co-operation agreement, he was found to have violated the agreement by lying to investigators.

The President's public statements during the Manafort trial, including during jury deliberations, also had the potential to influence the trial jury. On the second day of trial, for example, the President called the prosecution a “terrible situation” and a “hoax” that “continues to stain our country” and referred to Manafort as a “Reagan/Dole darling” who was “serving solitary confinement” even though he was “convicted of nothing.” Those statements were widely picked up by the press. While jurors were instructed not to watch or read news stories about the case and are presumed to follow those instructions, the President's statements during the trial generated substantial media coverage that could have reached jurors if they happened to see the statements or learned about them from others.

And the President's statements during deliberations of Manafort “happens to be a very good person” and that “it's very sad what they've done to Paul Manafort” had the potential to influence jurors who learned of the statements, which the President made just as jurors were considering whether to convict or acquit Manafort.

Let me point out here that I see in this book substantial sections have been blocked out under No. 8, the Obstructive Act and under section C, the Intent. In spite of part of that section being blacked out, that was the substantial evidence of the effort to influence Paul Manafort and obstruct justice.

Nexus to an official proceeding. The President's actions towards Flynn and Manafort and a third person blacked out in this book appeared to have been connected to pending or anticipated official proceedings involving each individual.

The President's conduct towards Flynn principally occurred when both were under criminal investigation by the Special Counsel's Office and press reports speculated about whether they would cooperate with the Special Counsel's investigation. And the President's conduct toward Manafort was directly connected to the official proceedings involving him. The President made statements about Manafort and the charges against him during Manafort's criminal trial. And the President's comments about the prospect of Manafort “flipping” occurred when it was clear the Special Counsel continued to oversee grand jury proceedings.

So there is the nexus laid out very clearly in this report on this effort to influence Manafort's testimony.

And then to intent, page 132.

Evidence concerning the President's conduct towards Manafort indicates that the

President intended to encourage Manafort to not cooperate with the government. Before Manafort was convicted, the President repeatedly stated that Manafort had been treated unfairly. One day after Manafort was convicted on eight felony charges and potentially faced a lengthy prison term, the President said that Manafort was a “brave man” for refusing to “break” and that “flipping” “almost ought to be outlawed.” At the same time, although the President privately told aides he did not like Manafort, he publicly called Manafort “a good man” and said he had a “wonderful family.” And when the President was asked whether he was asked whether he was considering a pardon for Manafort, the President did not respond directly and instead said he had “great respect for what [Manafort]'s done, in terms of what he's gone through.” The President added that “some of the charges they threw against him, every consultant, every lobbyist in Washington probably does.” In light of the President's counsel's previous statements that the investigations “might get cleaned up with some presidential pardons” and that a pardon would be possible if the President come[s] to the conclusion that you have been treated unfairly.” The evidence supports the inference that the President intended Manafort to believe that he could receive a pardon, which would make cooperation with the government as a means of a lesser sentence unnecessary.

To read that again:

The evidence supports the inference that the President intended Manafort to believe that he could receive a pardon which would make cooperation with the government as a means of obtaining a lesser sentence unnecessary.

The special counsel continues under intent:

We also examined the evidence of the President's intent making public statements about Manafort at the beginning of his trial and when the jury was deliberating. Some evidence supports a conclusion the President intended, at least in part, to influence the jury. The trial generated widespread publicity, and as the jury began to deliberate, commentators suggested that an acquittal would add pressure to end the Special Counsel's investigation. By publicly stating on the second day of deliberations that Manafort “happens to be a very good person” and that “it's very sad what they've done to Paul Manafort” right after calling the Special Counsel's investigation a “rigged witch hunt,” the President's statements could, if they reached jurors, have the natural tendency to engender sympathy for Manafort among jurors, and a factfinder could infer that the President intended that result. But there are alternative explanations to the President's comments, including that he genuinely felt sorry for Manafort or that his goal was not to influence the jury but influence public opinion. The President's comments also could have been intended to continue sending a message to Manafort that a pardon was possible. As described above, the President made his comments about Manafort being “a very good person” immediately after declining to answer questions about whether he would pardon Manafort.

You might be very interested in the additional information about intent, but I can't read it to you because it is blacked out. Nonetheless, in that previous paragraph, it is clearly declared the evidence supports the inference the President intended Manafort to believe he could receive a pardon, which would make cooperation with the government



as a means of obtaining a lesser sentence unnecessary.

Those are the first four cases of obstruction of justice in which a special prosecutor lays out substantial evidence on the obstructive act, on the nexus, and on the intent on the efforts to fire Mueller, on the efforts to curtail the Mueller investigation, on the order to McGahn to deny that he had attempted to fire Mueller, and on the effort to influence Manafort by alluding to a potential pardon.

There is a lot more in this book—many other cases that, in the eyes of analysts, isn't as strong as the first four, but the evidence could support it, whether it is substantial evidence, but still very serious stories of efforts to obstruct justice.

Ordinary Americans might say: If, in fact, the special prosecutor found all three standards met on at least four of these cases, then why hasn't the President been indicted? Well, indictment has to come from the executive branch and the Attorney General, who runs the Department of Justice, who isn't going to do that.

There is a policy within the White House that basically says a President can't be indicted. Pull out your Constitution and try to find where the Constitution says that a President can't be indicted. Try to find that because it is not in there.

"Equal justice under law." That is what our Constitution is about, not the case of a King who is above the law, so we have a democratic republic, if we can keep it.

But that means that we are in this principle "equal justice under law," and if the special prosecutor is not going to make recommendations based on the White House executive branch principle that a President can't be indicted and the Department of Justice is not going to do it, there is only one option, and that is the House of Representatives. The House of Representatives has the huge responsibility of defending this principle "equal justice under law." No one else is going to do it. It can't be done here in the Senate because the Constitution says the responsibility is in the House of Representatives to decide whether to impeach a President.

There has been a lot of discussion of politics: Is this a smart thing to do? Does it take up too much time? How will people respond? I can tell you this, if the House fails to act, then this "equal justice under law" means nothing.

This book is full of events that a thousand former Federal prosecutors have told us constitutes criminal conduct, and that is why the House must, in defending their oath of office to the

Constitution, bring a committee together and defend the Constitution—the vision—that no one in the United States of America, not even the President, is above the law. It is time—past time—to convene impeachment proceedings.

---

#### ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

The PRESIDING OFFICER. Under the previous order, the Senate stands adjourned until 9:30 a.m. tomorrow.

Thereupon, the Senate, at 7:51 p.m., adjourned until Wednesday, July 24, 2019, at 9:30 a.m.

---

#### NOMINATIONS

Executive nomination received by the Senate:

##### DEPARTMENT OF DEFENSE

DAVID L. NORQUIST, OF VIRGINIA, TO BE DEPUTY SECRETARY OF DEFENSE, VICE PATRICK M. SHANAHAN, RESIGNED.

---

#### CONFIRMATION

Executive nomination confirmed by the Senate July 23, 2019:

##### DEPARTMENT OF DEFENSE

MARK T. ESPER, OF VIRGINIA, TO BE SECRETARY OF DEFENSE.